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# Colorado Court Rules Supplement

February 2013

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**COLORADO  
COURT RULES  
SUPPLEMENT  
FEBRUARY 2013**



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## **PREFACE**

This publication updates both Book 1 and Book 2 of the Court Rules, shipped with the Colorado Revised Statutes in August 2012. The August 2012 Editions were current through 2012 Rule Change No. 12 issued by the Colorado Supreme Court. This publication picks up with 2012 Rule Change No. 13 and brings the user current through 2012 Rule Change No. 16 and brings many court-approved forms up to date. There have been no 2013 rule changes as of the publication date of this supplement.



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**The Colorado  
Rules of Civil Procedure  
For  
Courts of Record in Colorado**

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Adopted by the

SUPREME COURT OF COLORADO



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## CHAPTER 5

# **Trials**



# CHAPTER 5

## TRIALS

### Rule 45. Subpoena

**(a) In General.**

**(1) Form and Contents.**

**(A) Requirements - In General.** Every subpoena must:

- (i) state the court from which it issued;
- (ii) state the title of the action, the court in which it is pending and its case number;
- (iii) command each person to whom it is directed to do one or both of the following at a specified time and place: attend and testify at a deposition, hearing or trial; or produce designated books, papers and documents, whether in physical or electronic form ("records"), or tangible things, in that person's possession, custody, or control;
- (iv) identify the party and the party's attorney, if any, who is serving the subpoena;
- (v) identify the names, addresses and phone numbers and email addresses where known, of the attorneys for each of the parties and of each party who has appeared in the action without an attorney;
- (vi) state the method for recording the testimony if the subpoena commands attendance at a deposition; and
- (vii) if production of records or a tangible thing is sought, set out the text of sections (c) and (d) of this Rule verbatim on or as an attachment to the subpoena.

**(B) Combining or Separating a Command to Produce.** A command to produce records or tangible things may be included in a subpoena commanding attendance at a deposition, hearing, or trial, or may be contained in a separate subpoena that does not require attendance.

**(C) Deposition Subpoena Must Comply With Discovery Rules.** A deposition subpoena may require the production of records or tangible things which are within the scope of discovery permitted by C.R.C.P. 26. A subpoena must not be used to avoid the limits on discovery imposed by C.R.C.P. 16.1, 16.2 or 26 or by the Case Management Order applicable to that case.

**(D) Subpoenas to Named Parties.** A subpoena issued under this Rule may not be utilized to obtain discovery from named parties to the action unless the court orders otherwise for good cause.

**(2) Issued by Whom.** The clerk of the court in which the case is docketed must issue a subpoena, signed but otherwise in blank, to a party who requests it. That party must complete it before service. An attorney who has entered an appearance in the case also may issue, complete and sign a subpoena as an officer of the court.

**(b) Service.**

**(1) Time for Service.** Unless otherwise ordered by the court for good cause:

**(A) Subpoena for Trial or Hearing Testimony.** Service of a subpoena only for testimony in a trial or hearing shall be made no later than 48 hours before the time for appearance set out in the subpoena.

**(B) Subpoena for Deposition Testimony.** Service of a subpoena only for testimony in a deposition shall be made not later than 7 days before compliance is required.

**(C) Subpoena for Production of Documents.** Service of any subpoena commanding a person to produce records or tangible things in that person's possession, custody, or control shall be made not later than 14 days before compliance is required. In the case of an expedited hearing pursuant to these rules or any statute, service shall be made as soon as possible before compliance is required.

**(2) By Whom Served; How Served.** Any person who is at least 18 years old and not a party may serve a subpoena. Serving a subpoena requires delivering a copy to the named

person or service as otherwise ordered by the court consistent with due process. Service is also valid if the person named in the subpoena has signed a written acknowledgement or waiver of service. Service may be made anywhere within the state of Colorado.

(3) ***Tender of Payment for Mileage.*** If the subpoena requires a person's attendance, the payment for 1 day's mileage allowed by law must be tendered to the subpoenaed person at the time of service of the subpoena or within a reasonable time after service of the subpoena, but in any event prior to the appearance date. Payment for mileage need not be tendered when the subpoena issues on behalf of the state of Colorado or any of its officers or agencies.

(4) ***Proof of Service.*** Proof of service shall be made as provided in C.R.C.P. 4(h). Original subpoenas and returns of service of such subpoenas need not be filed with the court.

(5) ***Notice to Other Parties.***

(A) ***Service on the Parties.*** Immediately following service of a subpoena, the party or attorney who issues the subpoena, shall serve a copy of the subpoena on all parties pursuant to C.R.C.P. 5; provided that such service is not required for a subpoena issued pursuant to C.R.C.P. 69.

(B) ***Notice of Changes.*** The party or attorney who issues the subpoena must give the other parties reasonable notice of any written modification of the subpoena or any new date and time for the deposition, or production of records and tangible things.

(C) ***Availability of Produced Records or Tangible Things.*** The party or attorney who issues the subpoena for production of records or tangible things must make available in a timely fashion for inspection and copying to all other parties the records or tangible things produced by the responding party.

(c) ***Protecting a Person Subject to a Subpoena.***

(1) ***Avoiding Undue Burden or Expense; Sanctions.*** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction, which may include lost earnings and reasonable attorney's fees, on a party or attorney who fails to comply.

(2) ***Command to Produce Records or Tangible Things.***

(A) ***Attendance Not Required.*** A person commanded to produce records or tangible things need not attend in person at the place of production unless also commanded to attend for a deposition, hearing, or trial.

(B) ***For Production of Privileged Records.***

(i) If a subpoena commands production of records from a person who provides services subject to one of the privileges established by C.R.S. § 13-90-107, or from the records custodian for that person, which records pertain to services performed by or at the direction of that person ("privileged records"), such a subpoena must be accompanied by an authorization signed by the privilege holder or holders or by a court order authorizing production of such records.

(ii) Prior to the entry of an order for a subpoena to obtain the privileged records, the court shall consider the rights of the privilege holder or holders in such privileged records, including an appropriate means of notice to the privilege holder or holders or whether any objection to production may be resolved by redaction.

(iii) If a subpoena for privileged records does not include a signed authorization or court order permitting the privileged records to be produced by means of subpoena, the subpoenaed person shall not appear to testify and shall not disclose any of the privileged records to the party who issued the subpoena.

(C) ***Objections.*** Any party or the person subpoenaed to produce records or tangible things may submit to the party issuing the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials. The objection must be submitted before the earlier of the time specified for compliance or 14 days after the subpoena is served. If objection is made, the party issuing the subpoena shall promptly serve a copy of the objection on all other parties. If an objection is made, the party issuing the subpoena is not entitled to inspect, copy, test or sample the materials except pursuant to an order of the court from which the subpoena was issued. If an objection is made, at any time on notice



to the subpoenaed person and the other parties, the party issuing the subpoena may move the issuing court for an order compelling production.

**(3) *Quashing or Modifying a Subpoena.***

(A) *When Required.* On motion made promptly and in any event at or before the time specified in the subpoena for compliance, the issuing court must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person who is neither a party nor a party's officer to attend a deposition in any county other than where the person resides or is employed or transacts his business in person, or at such other convenient place as is fixed by an order of court;
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the issuing court may, on motion made promptly and in any event at or before the time specified in the subpoena for compliance, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or
- (ii) disclosing an unretained expert's opinion or information that does not describe specific matters in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order attendance or production under specified conditions if the issuing party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
  - (ii) ensures that the subpoenaed person will be reasonably compensated.
- (d) *Duties in Responding to Subpoena.***

**(1) *Producing Records or Tangible Things.***

(A) Unless agreed in writing by all parties, the privilege holder or holders and the person subpoenaed, production shall not be made until at least 14 days after service of the subpoena, except that, in the case of an expedited hearing pursuant to these rules or any statute, in the absence of such agreement, production shall be made only at the place, date and time for compliance set forth in the subpoena; and

(B) If not objected to, a person responding to a subpoena to produce records or tangible things must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand and must permit inspection, copying, testing, or sampling of the materials.

**(2) *Claiming Privilege or Protection.***

(A) *Information Withheld.* Unless the subpoena is subject to subsection (c)(2)(B) of this Rule relating to production of privileged records, a person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) make the claim expressly; and
- (ii) describe the nature of the withheld records or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(e) Subpoena for Deposition; Place of Examination.**

**(1) *Residents of This State.*** A resident of this state may be required by subpoena to attend an examination upon deposition only in the county wherein the witness resides or is employed or transacts his business in person, or at such other convenient place as is fixed by an order of court.

**(2) *Nonresidents of This State.*** A nonresident of this state may be required by subpoena to attend only within forty miles from the place of service of the subpoena in the state of Colorado or in the county wherein the nonresident resides or is employed or transacts business in person or at such other convenient place as is fixed by an order of court.

**(f) Contempt.** The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(e).

**Source:** (c) amended and adopted October 30, 1997, effective January 1, 1998; (c) and (d)(1) amended and adopted December 14, 2011, effective January 1, 2012, for all cases pending on or filed on or after January 1, 2012, pursuant to C.R.C.P. 1(b); entire rule repealed and readopted, and Committee Comments added October 18, 2012, effective January 1, 2013.

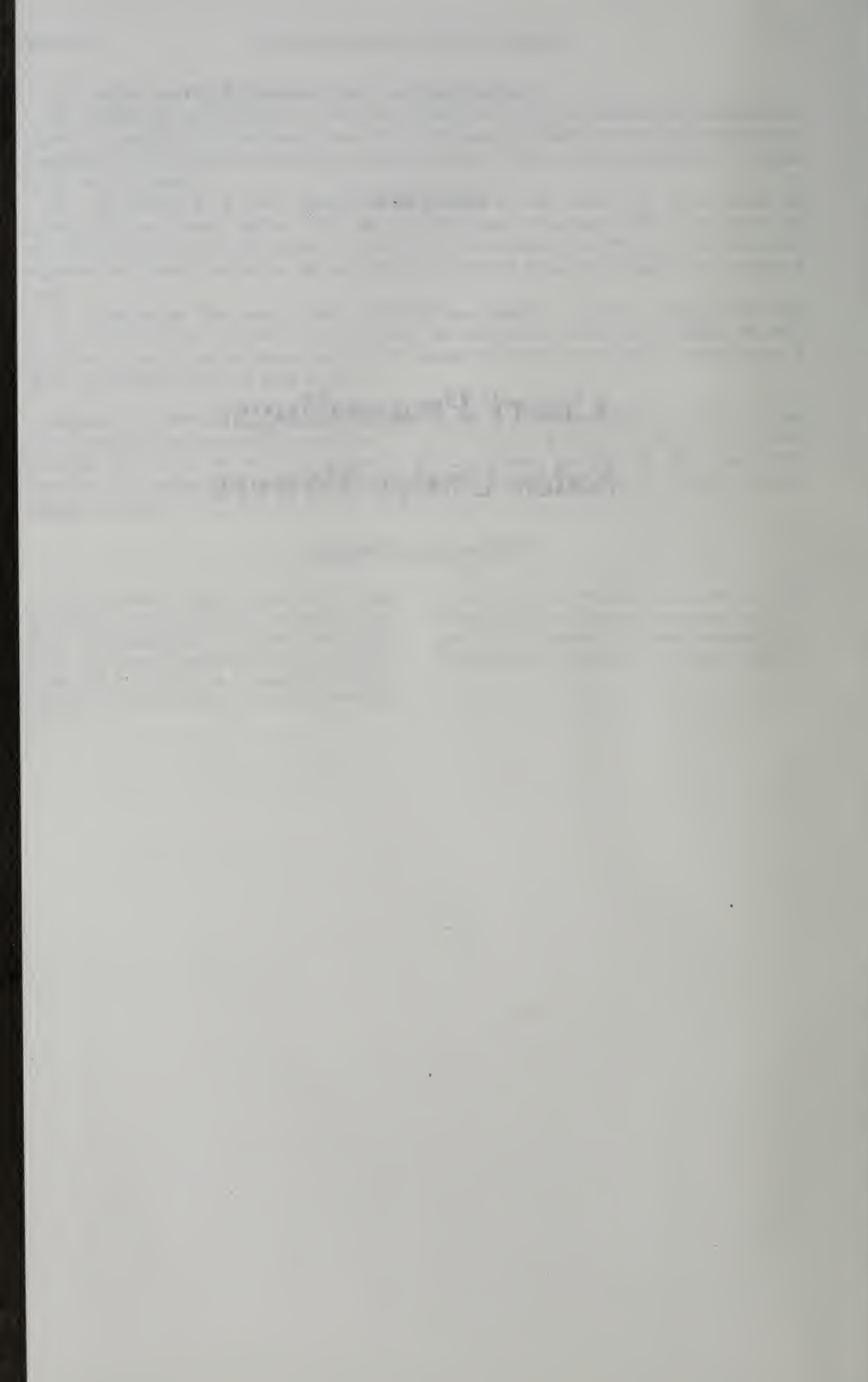
**COMMITTEE COMMENT**

If a subpoena to attend a deposition is sought pursuant to Rule 45(c)(2)(A) in order to produce and authenticate documents, the issuing party should consider establishing admissibility under C.R.E. 902(11) as a means of reducing undue burden and expense upon the subpoenaed person.

For scope of provision contained in Rule 45(c)(3)(B)(ii) relating to "unretained experts", see Official Comments to Federal Rules of Civil Procedure, 1991 Amendment, Clause (c)(3)(B)(ii).

CHAPTER 17

**Court Proceedings:  
Sales Under Powers**





# CHAPTER 17

## COURT PROCEEDINGS: SALES UNDER POWERS

### Rule 120.1. Order Authorizing Expedited Sale Pursuant to Statute

(a) **Motion; Contents.** An order of the court authorizing an expedited sale pursuant to section 38-38-903, C.R.S. may be sought in conjunction with the order authorizing sale. An eligible holder as defined by statute may file a verified motion, together with a supporting affidavit, in a district court seeking an order authorizing an expedited sale together with the motion for order authorizing sale pursuant to C.R.C.P. Rule 120. The affidavit shall state the following: (1) The moving party is an eligible holder as that term is defined by statute; (2) the subject deed of trust secures an eligible evidence of debt as that term is defined by statute; and (3) the property has been abandoned as defined by statute, or in the alternative, the grantor of the deed of trust requests an order for expedited foreclosure sale. Upon receipt of the motion and supporting affidavit, the clerk shall fix a time and place for a hearing on the motion for order authorizing sale and the motion for an expedited sale. The time fixed for hearing shall be not less than twenty nor more than thirty calendar days after the filing of the motion for expedited sale.

(b) **Notice; Contents; Service.** The moving party shall issue a combined notice in English and in Spanish, which shall include the provisions as specified in C.R.C.P. Rule 120(b) and add a statement that the moving party is seeking in addition to the order authorizing sale, an order for expedited foreclosure sale. The moving party shall additionally state that the property is abandoned, or in the alternative that the grantor of the deed of trust has requested the order for expedited foreclosure sale. At least fifteen calendar days prior to the hearing, the combined notice shall be served by the moving party as required by C.R.C.P. 120, and in addition shall be either personally served on the grantor of the deed of trust, or posted at the real property as provided in C.R.C.P. Rule 120(b). Such mailing, delivery to the clerk for posting, and personal service or property posting shall be evidenced by the certificate of the moving party or the moving party's agent.

(c) **Response; Contents; Filing and Service.** The grantor of the deed of trust may dispute the moving party's motion for expedited sale in the same time frame as provided in C.R.C.P. Rule 120.

(d) **Hearing; Scope of Issues; Order; Effect.** At the time and place set for the hearing or to which the hearing may have been continued, the court shall examine the motion and responses, if any. The scope of inquiry under this section shall not extend beyond the determination that the property is abandoned as that term is defined by statute, or that the grantor requests for an order for expedited sale. The court shall enter the order for expedited sale if there is clear and convincing evidence that the property has been abandoned or that the grantor of the deed of trust has requested such order. In order to establish clear and convincing evidence that the property has been abandoned, the moving party shall file an affidavit with the court as provided by statute. The court shall determine whether there is clear and convincing evidence that the property is abandoned.

(e) **Hearing Dispensed with if no Response Filed.** If no response has been filed within the time permitted by C.R.C.P. Rule 120(c), the court shall examine the motion and, if satisfied that the moving party is entitled to an order for expedited sale upon the facts stated in the motion and affidavit, the court shall dispense with the hearing and forthwith enter the order for expedited sale.

**Source:** Entire rule added and effective October 14, 2010; (a) and (b) amended and effective September 20, 2012.



# **Civil Access Pilot Project**

## **Applicable to Business Actions in District Court**

Adopted by the

SUPREME COURT OF COLORADO

June 16, 2011,

Effective January 1, 2012

# THE HISTORY OF THE

REIGN OF  
HENRY THE FIRST

BY  
JOHN GILBERT FROTHINGHAM  
OF NEW-YORK  
IN TWO VOLUMES  
VOL. I.

# **Civil Access Pilot Project**

## **Applicable to Business Actions in District Court**

### **Pilot Project Rule 10. Expert Discovery**

10.1(a) In accordance with the case management order, each retained expert and any party or representative of a party who is testifying in part as an expert, shall furnish a report (in the form of the expert report set forth in Appendix C) signed by the expert, with each paragraph initialed by the expert, setting forth his or her opinions, and the reasons for them. Each expert witness report shall, at a minimum, contain:

1. a specific statement of the opinions by the expert and the facts and other information which form the basis for each opinion;
2. a listing of all of the material relied upon by the expert;
3. references to literature which may be used during the witness' testimony;
4. any then-existing exhibit prepared by or specifically for the expert for use at trial;
5. the witness' curriculum vitae including a list of publications over the last 10 years;
6. a list of all trial or deposition testimony given by the witness in the last four years;
7. an accounting of all time spent on the case; and
8. a fee schedule.

(b) The substance of each expert's direct testimony shall be fully addressed in the expert's report. Experts shall be limited to testifying on direct examination about matters disclosed in reasonable detail in their written reports.

(c) The parties shall obtain and voluntarily produce to all other counsel the files of their retained expert witnesses at the time the witness is disclosed. The expert has a continuing duty to make supplemental disclosures of new information and material obtained subsequent to the expert's production of his/her file. The court shall determine what, if any, portion of the supplemental information may be used at trial. See Appendix C for a complete list of what the expert's file shall include. Drafts of the expert report prepared by the expert are not required to be produced.

(d) There shall be no depositions or other discovery of experts.

10.2. Except in extraordinary cases, only one expert witness per side may be permitted to submit a report and testify in any given specialty or with respect to any given issue.

10.3. If any retained expert becomes unavailable to testify at trial, the court, upon good cause shown, should liberally grant a request for substitution by an equivalent expert. Any substituted expert remains subject to all requirements of PPR 10.

### **Pilot Project Rule 11. Costs and Sanctions**

11.1. In addition to the sanctions set forth in PPR 3.7, the court may impose sanctions as appropriate for any failure to timely or completely comply with these PPR's.





**Amended Appendix A:  
Actions in the Colorado Pilot Project**

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The case types listed in Section I are included in the Pilot Project; Section II contains specific exclusions from the Pilot Project.

## **I. INCLUDED ACTIONS**

Business Actions. The district court should handle the following types of actions under the Pilot Project Rules for business actions, whether the relief requested is legal or equitable. Pilot project business actions are not limited to “business v. business,” but also include “business v. individual” and “individual v. individual” business cases.

- (a) Breach of contract actions;
- (b) Business tort actions (e.g., unfair competition, fiduciary duty, fraud, misrepresentation);
- (c) Actions for statutory and/or common law violations where the breach or violation is alleged to arise out of business dealings (e.g., sales of assets or securities; corporate restructuring; partnership, shareholder, joint venture, or other business agreements);
- (d) Actions involving transactions governed by the Uniform Commercial Code;
- (e) Actions involving commercial real property;
- (f) Owner/investor derivative actions brought on behalf of business organizations;
- (g) Actions involving business transactions with commercial banks or other financial institutions;
- (h) Actions involving the internal affairs of business organizations;
- (i) Actions involving insurance coverage, including directors and officers, errors and omissions, business interruption, environmental, or bad faith;
- (j) Actions involving dissolution of corporations, partnerships, limited liability companies, limited liability partnerships or joint ventures;
- (k) Private actions for securities fraud under C.R.S. § 11-51-501, et seq., and the common law;
- (l) Private antitrust actions brought under the Unfair Practices Act (C.R.S. § 6-2-101, et seq.) or the Colorado Antitrust Act of 1992 (C.R.S. § 6-4-101, et seq.);
- (m) Actions involving intellectual property, including state trademark laws;
- (n) Professional malpractice actions, excluding those actions listed in Section II(h) below;
- (o) Products liability actions.

As used herein, the term “business organization” includes all forms of entities recognized by Colorado law, and applies to single owner or member entities, for profit and nonprofit entities, unincorporated associations, and sole proprietorships.

As used herein, the term “financial institution” includes any bank, savings and loan association, state or federal savings bank, bank holding company, thrift holding company, industrial bank, credit union, mortgage or finance company, credit card company, or collection agency.

## **II. EXCLUDED ACTIONS**

The following types of actions are not subject to the Pilot Project Rules:

- (a) Actions solely for the payment of rent on real property;
- (b) Colorado Rule of Civil Procedure 120 proceedings;
- (c) Isolated motions for the appointment of a receiver that are not part of or attached to a civil complaint stating additional claims;
- (d) Actions brought by commercial banks or other financial institutions solely for the collection of debt;

(e) Employment actions arising out of existing or former employment relationships, unless the dispute concerns claims of breach of non-compete covenants or theft of trade secrets;

(f) Actions involving construction defect claims;

(g) Actions subject to the Colorado Governmental Immunity Act;

(h) Medical negligence actions alleging a breach of the standard of care by a health care provider and which are covered under the Colorado Health Care Availability Act (C.R.S. §§13-64-101 to 503);

(i) Actions alleging negligence for physical injuries to one or more individual(s);

(j) Replevin actions under Colorado Rule of Civil Procedure 104;

(k) Administrative agency actions and proceedings, such as those involving the securities commissioner or the insurance commissioner;

(l) Actions involving a statute or rule that contains distinct time frames for the proceedings;

(m) Post-judgment proceedings in aid of satisfaction of a judgment.



**Amended Appendix B:  
Form for Initial Case Management  
Conference Joint Report of the Parties**

Chief Justice Directive 11-02  
Appendix B Amended December, 2011

**Amended Appendix B:  
Form for Initial Case Management Conference Joint Report of the Parties**

District Court _____ County, Colorado Court Address:  	<b>COURT USE ONLY</b>
Plaintiff(s): _____,  v.  Defendant(s): _____,	
Attorney or Party Without Attorney (Name and Address):    Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	
Case Number:    Division _____ Courtroom _____	
<b>COLORADO CIVIL ACCESS PILOT PROJECT INITIAL CASE MANAGEMENT CONFERENCE JOINT REPORT OF THE PARTIES (CJD 11-02, APPENDIX B)</b>	

Pursuant to Colorado Pilot Project Rule (PPR) 7.1, the parties should discuss each item below. If they agree, the agreement should be stated. If they cannot agree, each party should state its position. If an item does not apply, it should be identified as not applicable. This form shall be submitted to the court in editable format.

1. Date for joinder of additional parties: \_\_\_\_\_
2. Date for amending or supplementing pleadings: \_\_\_\_\_
3. Non-parties at fault: \_\_\_\_\_
4. The timing of mediation or other alternative dispute resolution: \_\_\_\_\_

5. Dispositive motions: \_\_\_\_\_

6. The issues to be tried: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. An assessment of the application to the case of the proportionality factors in PPR 1.3: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Production, continued preservation, and restoration of electronically stored information, including the form in which electronically stored information is to be produced and other issues relating to electronic information, including the costs: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Proposed discovery and limitations on discovery, consistent with the proportionality factors in PPR 1.3. Counsel will be required to represent to the Court at the conference that they have discussed the costs of the proposed discovery with their clients, or state to the court why they have not done so.

a. adequacy of the initial disclosures: \_\_\_\_\_

b. limitations on scope of discovery: \_\_\_\_\_

c. limitations on the types of discovery: \_\_\_\_\_

d. limitations on the number of written discovery requests: \_\_\_\_\_

e. limitations on the number and length of depositions, and/or the total time of depositions allowed to each party: \_\_\_\_\_

f. limitations on persons from whom discovery can be sought: \_\_\_\_\_

g. limitations on the restoration of electronically stored information: \_\_\_\_\_

h. cost shifting/co-pay rules, including the allocation of costs of the access to and production of electronically stored information: \_\_\_\_\_

i. any other cost issues: \_\_\_\_\_

10. Proposed dates for:

- a. commencement of fact discovery: \_\_\_\_\_
- b. completion of fact discovery: \_\_\_\_\_
- c. disclosure of trial witnesses: \_\_\_\_\_
- d. exchange of all trial exhibits: \_\_\_\_\_
- e. exchange of all demonstrative exhibits: \_\_\_\_\_

11. The amount of time required for the completion of all pretrial activities and the approximate length of trial: \_\_\_\_\_

12. Proposed date for trial: \_\_\_\_\_

13. Expert witnesses: \_\_\_\_\_

14. Proposed dates for:

- a. production of expert reports: \_\_\_\_\_
  - i. Plaintiff: \_\_\_\_\_
  - ii. Defendant: \_\_\_\_\_
- b. production of rebuttal expert reports: \_\_\_\_\_
- c. production of expert witness files: \_\_\_\_\_

15. Limitations on experts' fees to be taxed as costs: \_\_\_\_\_

16. Computation of damages and the nature and timing of discovery relating to damages: \_\_\_\_\_

17. Other appropriate matters: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

[signature block]

[signature block]

\_\_\_\_\_  
[Attorney for Plaintiff]

\_\_\_\_\_  
[Attorney for Defendant]

**Amended Appendix C:  
Form for Disclosure of Expert Witness(es)**

Chief Justice Directive 11-02  
Appendix C Amended December, 2011

**Amended Appendix C:  
Form for Disclosure of Expert Witness(es)**

District Court _____ County, Colorado Court Address:		
Plaintiff(s): _____,  v. Defendant(s): _____,		
Attorney or Party Without Attorney (Name and Address):		Case Number:
Phone Number:	E-mail:	Division      Courtroom
FAX Number:	Atty. Reg. #:	
<p align="center"><b>COLORADO CIVIL ACCESS PILOT PROJECT</b>  <b><u>      [NAME OF PARTY]      DISCLOSURE OF EXPERT WITNESS[ES]</u></b>  <b>(CJD 11-02, APPENDIX C)</b></p>		

\_\_\_\_\_  
      [NAME OF PARTY]      , by counsel, pursuant to Colorado Pilot Project Rule (PPR) 10.1, hereby discloses persons who may present evidence at trial pursuant to Colorado Rules of Evidence 702, 703, or 705:

**I.      WITNESS[ES] RETAINED OR  
EMPLOYEE[S] OF DISCLOSING PARTY.**

The following person[s] have either (1) been retained or employed to provide expert testimony, or (2) are employees of the disclosing party whose duties regularly include giving expert testimony and for each such expert the following information is submitted:

**A.      NAME, PROFESSIONAL ADDRESS, AND TELEPHONE NUMBER OF EXPERT.**

**B. A REPORT WHICH SHALL CONTAIN THE FOLLOWING:**

- 1. A specific statement of the opinions by the expert and the facts and other information specifically relating to and forming the basis for each opinion:
- 2. A listing of all of the material relied upon by the expert:
- 3. References to literature which may be used during the witness testimony:
- 4. Any existing exhibit prepared by or specifically for the expert for use at trial; any additional exhibits to be used at trial shall be disclosed consistent with the deadlines set forth in the case management order at 10(d) and (e):
- 5. Witness' curriculum vitae, including a list of publications over the last 10 years:
- 6. A list of all trial or deposition testimony given by the witness in the last four years:

<u>Name of Case</u>	<u>Court</u>	<u>Case Number</u>	<u>Retained By</u>	<u>Date</u>	<u>D/T</u>
---------------------	--------------	--------------------	--------------------	-------------	------------

- 7. Accounting of all time spent on the case:
- 8. A fee schedule:
- 9. A certification that this expert has:

- ☐ prepared or reviewed the report,
- ☐ signed the report and,
- ☐ initialed each paragraph of the report.

[Attach report hereto as an exhibit.]

**C. CERTIFICATION THAT THE FILE FOR THE EXPERT HAS BEEN PRODUCED**



The term "File" includes exhibits which the expert may use at trial, e-mails, notes of any kind, billing documentation, time logs, correspondence, literature references which the expert reviewed or relied upon as the basis of his opinion, and all reports or memos describing the experts opinions related to this litigation. The materials produced should also include copies of any chronologies, outlines, summaries or similar materials provided by counsel or created by the expert in either written or electronic form. Drafts of the expert report are not required to be produced.

Materials common to both parties (depositions, pleadings, voluminous documents supplied by the opposing party) need not be produced if they are included in the *Listing Of All Of The Material Relied Upon By The Expert*, unless they contain written notations, highlighting or other markings made by the expert.

**II. WITNESS[ES] NOT RETAINED OR  
EMPLOYEE[S] OF DISCLOSING PARTY.**

The following person[s] may be called to provide expert testimony but have neither (1) been retained to provide expert testimony, nor (2) are employees of the disclosing party whose duties regularly involve giving expert testimony:

**A. NAME, PROFESSIONAL ADDRESS, AND TELEPHONE NUMBER OF WITNESS.**

- 1. Qualifications:**
- 2. Substance of all opinions to be expressed and the basis and reasons therefor:**

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

[signature block]

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[Attorney for Disclosing Party]

APPENDIX TO CHAPTERS 1 TO 17A

# **The Colorado Rules of Civil Procedure**

THE COLONY  
OF THE FUTURE



# APPENDIX TO CHAPTERS 1 TO 17A

## FORMS (See Rule 84.)

(Forms are available online at <http://www.courts.state.co.us/Forms/Index.cfm>.)

### SPECIAL FORM INDEX

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Form 27.	Calculation of the Amount of Exempt Earnings.
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Form 1.  
SUMMONS

District Court, _____ County, Colorado Court Address:  _____  Plaintiff  v. _____  Defendant	<div>▲ COURT USE ONLY ▲</div> <div>Case Number: _____</div> <div>Division: _____ Courtroom: _____</div>
DISTRICT COURT CIVIL SUMMONS	

TO THE ABOVE NAMED DEFENDANT: \_\_\_\_\_

**YOU ARE HEREBY SUMMONED** and required to file with the Clerk of this Court an answer or other response to the attached Complaint. If service of the Summons and Complaint was made upon you within the State of Colorado, you are required to file your answer or other response within 21 days after such service upon you. If service of the Summons and Complaint was made upon you outside of the State of Colorado, you are required to file your answer or other response within 35 days after such service upon you. Your answer or counterclaim must be accompanied with the applicable filing fee.

If you fail to file your answer or other response to the Complaint in writing within the applicable time period, the Court may enter judgment by default against you for the relief demanded in the Complaint without further notice.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Clerk of Court/Clerk

\_\_\_\_\_  
Signature of Plaintiff

\_\_\_\_\_  
Address of Plaintiff

\_\_\_\_\_  
Plaintiff's Phone Number

**This Summons is issued pursuant to Rule 4, C.R.C.P., as amended. A copy of the Complaint must be served with this Summons. This form should not be used where service by publication is desired.**

Form 1.1.  
SUMMONS BY PUBLICATION

District Court _____ County, Colorado		▲ COURT USE ONLY ▲
Court Address: _____		
Plaintiff(s)/Petitioner(s): v. Defendant(s)/Respondent(s):		
Attorney or Party Without Attorney (Name and Address):		Case Number:
Phone Number:	E-mail:	Division                      Courtroom
FAX Number:	Atty. Reg. #:	
SUMMONS BY PUBLICATION		

THE PEOPLE OF THE STATE OF COLORADO

TO THE ABOVE-NAMED DEFENDANT(S):

You are hereby summoned and required to appear and defend against the claims of the complaint [petition] filed with the court in this action, by filing with the clerk of this court an answer or other response. You are required to file your answer or other response within \_\_\_\_ \* days after the service of this summons upon you. Service of this summons shall be complete on the day of the last publication. A copy of the complaint [petition] may be obtained from the clerk of the court.

If you fail to file your answer or other response to the complaint [petition] in writing within \_\_\_\_ \* days after the date of the last publication, judgment by default may be rendered against you by the court for the relief demanded in the complaint [petition] without further notice.

This is an action: \_\_\_\_\_

Dated: \_\_\_\_\_

Published in the \_\_\_\_\_.

First Publication: \_\_\_\_\_, 20\_\_\_\_.

Last Publication: \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Attorney for Plaintiff(s)/Petitioner(s)

(This summons is issued pursuant to Rule 4(g), Colorado Rules of Civil Procedure. This form should not be used where personal service is desired.)

(TO THE CLERK: When this summons is issued by the clerk of the court, the signature block for the clerk or deputy should be provided by stamp, or typewriter, in the space to the left of the attorney's name.)

\*Rule 12(a), C.R.C.P., allows -35 days for answer or response where service of process is by publication. However, under various statutes, a different response time is set forth; e.g., §38-6-104, C.R.S. (eminent domain); §38-36-121, C.R.S. (Torrens registration).

**Form 1.2.**  
**DISTRICT COURT CIVIL (CV) CASE COVER SHEET**  
**FOR INITIAL PLEADING OF COMPLAINT, COUNTERCLAIM,**  
**CROSS-CLAIM OR THIRD PARTY COMPLAINT**

District Court _____ County, Colorado Court Address: _____  Plaintiff(s): _____ v. Defendant(s): _____	     <div style="text-align: center;"><b>▲ COURT USE ONLY ▲</b></div>
Attorney or Party Without Attorney (Name and Address): _____  Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	Case Number: _____  Division _____ Courtroom _____
<b>DISTRICT COURT CIVIL (CV) CASE COVER SHEET FOR INITIAL PLEADING OF COMPLAINT, COUNTERCLAIM, CROSS-CLAIM OR THIRD PARTY COMPLAINT</b>	

**1. This cover sheet shall be filed with each pleading containing an initial claim for relief in every district court civil (CV) case, and shall be served on all parties along with the pleading. It shall not be filed in Domestic Relations (DR), Probate (PR), Water (CW), Juvenile (JA, JR, JD, JV), or Mental Health (MH) cases. Failure to file this cover sheet is not a jurisdictional defect in the pleading but may result in a clerk's show cause order requiring its filing.**

**2. Check one of the following:**

☐ This case is governed by Chief Justice Directive ("CJD") 11-02 and the "Colorado Civil Access Pilot Project Rules Applicable to Business Actions in District Court" because:

- The case is filed within the period of January 1, 2012 through December 31, 2013; *AND*
- The case is filed in a Pilot Project participating jurisdiction (Adams County, Arapahoe County, Denver County, Gilpin County, or Jefferson County); *AND*
- The case is a "Business Action" as defined in CJD 11-02, Amended Appendix A for inclusion in the Pilot Project.

☐ This case is not governed by the Colorado Civil Access Pilot Project Rules.

**NOTE: Cases subject to the Colorado Civil Access Pilot Project must be governed by the Rules in CJD 11-02 (available at [http://www.courts.state.co.us/Courts/Supreme\\_Court/Directives/Index.cfm](http://www.courts.state.co.us/Courts/Supreme_Court/Directives/Index.cfm)). The presiding judge will review Item 2 for accuracy. The designation on this initial Cover Sheet will control unless the Court orders otherwise.**

**3. If this case is not governed by the Colorado Civil Access Pilot Project Rules as indicated in Item 2, check the following:**

☐ This case is governed by C.R.C.P. 16.1 because:

- The case is not a class action, forcible entry and detainer, C.R.C.P. 106, C.R.C.P. 120, or other similar expedited proceeding; *AND*



- A monetary judgment over \$100,000 is not sought by any party against any other single party. This amount includes attorney fees, penalties, and punitive damages; it excludes interest and costs, as well as the value of any equitable relief sought.

☐ This case is not governed by C.R.C.P. 16.1 because (check ALL boxes that apply):

☐ The case is a class action, forcible entry and detainer, C.R.C.P. 106, C.R.C.P. 120, or other similar expedited proceeding.

☐ A monetary judgment over \$100,000 is sought by any party against any other single party. This amount includes attorney fees, penalties, and punitive damages; it excludes interest and costs, as well as the value of any equitable relief sought.

*NOTE: In any case to which C.R.C.P. 16.1 does not apply, the parties may elect to use the simplified procedure by separately filing a Stipulation to be governed by the rule within 35 days of the at-issue date. See C.R.C.P. 16.1(b)(1) (re: case type) and C.R.C.P. 16.1(e) (re: amount in controversy). In any case to which C.R.C.P. 16.1 applies, the parties may opt out of the rule by separately filing a Notice to Elect Exclusion (JDF 602) within 45 days of the at-issue date. See C.R.C.P. 16.1(d).*

☐ A Stipulation or Notice with respect to C.R.C.P. 16.1 has been separately filed with the Court, indicating:

☐ C.R.C.P. 16.1 applies to this case.

☐ C.R.C.P. 16.1 does not apply to this case.

4. ☐ This party makes a **Jury Demand** at this time and pays the requisite fee. See C.R.C.P. 38. (Checking this box is optional.)

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Party or Attorney for Party

Form 26.  
WRIT OF CONTINUING GARNISHMENT

<input type="checkbox"/> County Court <input type="checkbox"/> District Court County, Colorado			
Court Address:			
Plaintiff(s)/Petitioner(s):			
v.			
Defendant(s)/Respondent(s):		▲ COURT USE ONLY ▲	
Judgment Creditor's Attorney or Judgment Creditor (Name and Address):		Case Number:	
Phone Number:	E-mail:	Division	Courtroom
FAX Number:	Atty. Reg. #:		
WRIT OF CONTINUING GARNISHMENT			

Judgment Debtor's name, last known address, other identifying information: \_\_\_\_\_

1. Original or Revived Amount of Judgment Entered on \_\_\_\_\_ (date) for \$ \_\_\_\_\_
- a. Effective Garnishment Period
- ☐ 91 days (Judgment entered prior to August 8, 2001)
- ☐ 182 days (Judgment entered on or after August 8, 2001)
2. Plus any Interest Due on Judgment ( \_\_\_\_\_ % per annum) \$ \_\_\_\_\_
3. Taxable Costs (including estimated cost of service of this Writ) \$ \_\_\_\_\_
4. Less any Amount Paid \$ \_\_\_\_\_
5. Principal Balance/Total Amount Due and Owing \$ \_\_\_\_\_

DATE SUIT WAS COMMENCED:  
(Mark Appropriate Box)

☐ Prior to May 1, 1991

☐ On or After May 1, 1991

I affirm that I am authorized to act for the Judgment Creditor and this is a correct statement as of \_\_\_\_\_ (date).

Subscribed under oath before me on \_\_\_\_\_ (date)

Print Judgment Creditor's Name

Address: \_\_\_\_\_

Notary Public or Deputy Clerk

My Commission Expires: \_\_\_\_\_

By: \_\_\_\_\_  
Signature (Type Name, Title, Address and Phone)

WRIT OF CONTINUING GARNISHMENT

THE PEOPLE OF THE STATE OF COLORADO to the Sheriff of any Colorado County or to any person 18 years or older and who is not a party to this action:

You are directed to serve **TWO COPIES** of this Writ of Continuing Garnishment upon \_\_\_\_\_, Garnishee, with proper return of service to be made to the Court.

**TO THE GARNISHEE: YOU ARE SUMMONED AS GARNISHEE IN THIS ACTION AND ORDERED:**

- a. To answer the following questions under oath and mail your answers to the ☐ Judgment Creditor named above ☐ Judgment Creditor's Attorney or if the Judgment Creditor is not a licensed collection agency and has no attorney, to the ☐ Clerk of the Court no less than 7 nor more than 14 days following the time you pay the Judgment Debtor for the first time following service of this Writ, or 42 days following service of this Writ upon you, whichever is less. **YOUR FAILURE TO ANSWER THIS WRIT OF CONTINUING GARNISHMENT MAY RESULT IN THE ENTRY OF A DEFAULT AGAINST YOU.**

- b. To pay any nonexempt earnings to the party designated in "e" below no less than 7 nor more than 14 days following each time you pay the Judgment Debtor during the effective Garnishment Period of this Writ and attach a copy of the Calculation of the Amount of Exempt Earnings used (the Calculation under "Questions to be Answered by Garnishee" should be used for the first pay period, and one of the multiple Calculation forms included with this Writ should be used for all subsequent pay periods).
- c. To deliver a copy of this Writ, together with the Calculation of the Amount of Exempt Earnings and a blank Objection to Calculation of the Amount of Exempt Earnings form, the first time you pay the Judgment Debtor.
- d. To deliver to the Judgment Debtor a copy of each subsequent Calculation of the Amount of Exempt Earnings each time you pay the Judgment Debtor for earnings subject to this Writ.
- e. **MAKE CHECKS PAYABLE AND MAIL TO:** ☐ Judgment Creditor named above; ☐ Judgment Creditor's Attorney or if the Judgment Creditor is not a licensed collection agency and has no attorney; to the ☐ Clerk of the \_\_\_\_\_ Court  
**Name:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**PLEASE PUT THE CASE NUMBER (shown above) ON THE FRONT OF THE CHECK.**  
**CLERK OF THE COURT** **By Deputy Clerk:** \_\_\_\_\_  
**Date:** \_\_\_\_\_

NOTICE TO GARNISHEE

- a. This Writ applies to all nonexempt earnings owed or owing during the Effective Garnishment Period shown on Line 1a on the front of this Writ or until you have paid to the party, designated in paragraph "e" on the front of this Writ, the amount shown on Line 5 on the front of this Writ, whichever occurs first. **However, if you have already been served with a Writ of Continuing Garnishment for Child Support, this new Writ is effective for the Effective Garnishment Period after any prior Writ terminates.**
- b. "Earnings" includes all forms of compensation for Personal Services. Also read "Notice to Judgment Debtor" below.
- c. In no case may you withhold any amount greater than the amount on Line 5 on the front of this Writ.

QUESTIONS TO BE ANSWERED BY GARNISHEE

Judgment Debtor's Name: \_\_\_\_\_ Case Number: \_\_\_\_\_  
The following questions MUST be answered by you under oath:

- a. On the date and time this Writ of Continuing Garnishment was served upon you, did you owe or do you anticipate owing any of the following to the Judgment debtor within the Effective Garnishment Period shown on Line 1a on the front of this Writ? (Mark appropriate box(es)):  
1. ☐ WAGES/SALARY/COMMISSIONS/BONUS/OTHER COMPENSATION FOR PERSONAL SERVICES (Earnings)  
2. ☐ Health, Accident or Disability Insurance Funds or Payments  
3. ☐ Pension or Retirement Benefits (for suits commenced prior to 5/1/91 ONLY - check front of Writ for date)  
If you marked any box above, indicate how the Judgment debtor is paid: ☐ weekly ☐ bi-weekly ☐ semi-monthly ☐ monthly ☐ other The Judgment Debtor will be paid on the following dates during the Effective Garnishment Period shown on Line 1a (front of this Writ): \_\_\_\_\_
- b. Are you under one or more of the following writs of garnishment? (Mark appropriate box(es)):  
4. ☐ Writ of Continuing Garnishment (Expected Termination Date: \_\_\_\_\_)  
5. ☐ Writ of Garnishment for Support (Expected Termination Date: \_\_\_\_\_)
- c. If you marked Box 1 and you did NOT mark either Box 4 or 5, complete the Calculation below for the "First Pay Period" following receipt of this Writ. If you marked either Box 4 or 5, you must complete Calculations beginning with the first pay period following termination of the prior writ(s).



- d. If you marked Box 2 or 3 and you did NOT mark either Box 4 or 5, complete the Calculation below for the "First Pay Period" following receipt of this Writ. If you marked either box 4 or 5, you must complete Calculations beginning with the first pay period following termination of the prior writ(s). However, there are a number of total exemptions, and you should seek legal advice about such exemptions. **If the earnings are totally exempt, please mark box 6 below:**

6. ☐ The earnings are totally exempt because: \_\_\_\_\_

### CALCULATION OF THE AMOUNT OF EXEMPT EARNINGS (First Pay Period)

Gross Earnings for the First Pay Period from \_\_\_\_\_ thru \_\_\_\_\_ \$ \_\_\_\_\_  
 Less Deductions Required by Law (For Example, Withholding Taxes, FICA) - \$ \_\_\_\_\_  
 Disposable Earnings (Gross Earnings less Deductions) = \$ \_\_\_\_\_  
 Less Statutory Exemption (Use Exemption Chart Below) - \$ \_\_\_\_\_  
 Net Amount Subject to Garnishment = \$ \_\_\_\_\_  
 Less Wage/Income Assignment(s) During Pay Period (If Any) - \$ \_\_\_\_\_  
**Amount to be withheld and paid** = \$ \_\_\_\_\_

EXEMPTION CHART ("Minimum Hourly Wage" means state or federal minimum wage, whichever is greater.)	PAY PERIOD	AMOUNT EXEMPT IS THE GREATER OF:
	Weekly	30 x Minimum Hourly Wage or 75% of Disposable Earnings
	Bi-weekly	60 x Minimum Hourly Wage or 75% of Disposable Earnings
	Semi-monthly	65 x Minimum Hourly Wage or 75% of Disposable Earnings
	Monthly	130 x Minimum Hourly Wage or 75% of Disposable Earnings

I certify that I am authorized to act for the Garnishee; that the above answers are true and correct; and that I have delivered a copy of this Writ, together with the Calculation of the Amount of Exempt Earnings and a blank Objection to Calculation of the Amount of Exempt Earnings form to the Judgment Debtor at the time earnings were paid for the "First Pay Period" (if earnings were paid).

Name of Garnishee (Print) \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone Number \_\_\_\_\_

Subscribed under affirmation or oath  
 before me on \_\_\_\_\_ (date)

Notary Public/Deputy Clerk \_\_\_\_\_  
 My Commission Expires: \_\_\_\_\_

Name of Person Answering (Print) \_\_\_\_\_  
 Signature of Person Answering \_\_\_\_\_

### NOTICE TO JUDGMENT DEBTOR

- The Garnishee may only withhold nonexempt earnings from the amount due you, but in no event more than the amount on Line 5 on the front of this Writ, **UNLESS YOUR EARNINGS ARE TOTALLY EXEMPT**, in which case **NO EARNINGS CAN BE WITHHELD**. You may wish to contact a lawyer who can explain your rights.
- If you disagree with the amount withheld, you must talk with the Garnishee within 7 days after being paid.
- If you cannot settle the disagreement with the Garnishee, you may complete and file the attached Objection with the Clerk of the Court issuing this Writ within 14 days after being paid. **YOU MUST USE THE FORM ATTACHED** or a copy of it.
- You are entitled to a court hearing on your written objection.
- Your employer cannot fire you because your earnings have been garnished. If your employer discharges you in violation of your legal rights, you may, within 91 days, bring a civil action for the recovery of wages lost because you were fired and for an order requiring that you be reinstated. Damages will not exceed 6 weeks' wages and attorney fees.

RETURN OF SERVICE

Judgment Debtor's Name: Case Number:

I certify that I am 18 years or older; that I am not a party to the action; and that I have served two copies of the Writ of Continuing Garnishment, together with a blank Objection to Calculation of the Amount of Exempt Earnings on (name of party) in (County) (State) on (date) (time) at the following location:

By (Check one):

- ☐ By handing it to a person identified to me as (name of garnishee).
- ☐ By leaving it with (Type or write name legibly), who is designated to receive service because of a legal relationship with (name of garnishee) as provided for in C.R.C.P. 4(e).
- ☐ I attempted to serve (name of garnishee) on occasions but have not been able to locate him/her/it. Return to the Judgment Creditor is made on (date).
- ☐ I attempted to leave it with (name of person) who refused service.

- ☐ Private process server
- ☐ Sheriff, County  
Fee \$ Mileage \$

Signature of Process Server  
Name (Print or type)

Subscribed under affirmation or oath before me in the County of , State of ,  
this day of , 20 .

Note: Notarization is not required for service by a sheriff or deputy.

My Commission Expires: Notary Public/Clerk

Form 27.  
CALCULATION OF THE AMOUNT OF EXEMPT EARNINGS WORKSHEET

COURT, \_\_\_\_\_ COUNTY \_\_\_\_\_, COLORADO  
CASE NO. \_\_\_\_\_ DIV./CT.RM. \_\_\_\_\_ JUDGMENT DEBTOR'S NAME \_\_\_\_\_

CALCULATION OF THE AMOUNT OF EXEMPT EARNINGS WORKSHEET

PLAINTIFF(S): \_\_\_\_\_

DEFENDANT(S): \_\_\_\_\_

Gross Pay for _____ thru _____		\$ _____
Less Deductions Required by Law	-	\$ _____
Disposable Earnings	=	\$ _____
Less Statutory Exemption	-	\$ _____
Net Amount Subject to Garnishment	=	\$ _____
Less Wage/Income Assignment (If Any)	-	\$ _____
AMOUNT PAID	=	\$ _____

I affirm that I am authorized to act for the Garnishee, the above Calculation is true and correct, and I have delivered a copy of this Calculation to the Judgment Debtor at the time earnings were paid for the above period.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

CUT ALONG THE DOTTED LINE AND MAIL WITH EACH CHECK TO THE PARTY DESIGNATED IN PARAGRPH "e" ON FRONT OF WRIT OF CONTINUING GARNISHMENT.

COURT, \_\_\_\_\_ COUNTY \_\_\_\_\_, COLORADO  
CASE NO. \_\_\_\_\_ DIV./CT.RM. \_\_\_\_\_ JUDGMENT DEBTOR'S NAME \_\_\_\_\_

CALCULATION OF THE AMOUNT OF EXEMPT EARNINGS WORKSHEET

PLAINTIFF(S): \_\_\_\_\_

DEFENDANT(S): \_\_\_\_\_

Gross Pay for _____ thru _____		\$ _____
Less Deductions Required by Law	-	\$ _____
Disposable Earnings	=	\$ _____
Less Statutory Exemption	-	\$ _____
Net Amount Subject to Garnishment	=	\$ _____
Less Wage/Income Assignment (If Any)	-	\$ _____
AMOUNT PAID	=	\$ _____

I affirm that I am authorized to act for the Garnishee, the above Calculation is true and correct, and I have delivered a copy of this Calculation to the Judgment Debtor at the time earnings were paid for the above period.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

CUT ALONG THE DOTTED LINE AND MAIL WITH EACH CHECK TO THE PARTY DESIGNATED IN PARAGRPH "e" ON FRONT OF WRIT OF CONTINUING GARNISHMENT.

COURT, \_\_\_\_\_ COUNTY \_\_\_\_\_, COLORADO  
CASE NO. \_\_\_\_\_ DIV./CT.RM. \_\_\_\_\_ JUDGMENT DEBTOR'S NAME \_\_\_\_\_

CALCULATION OF THE AMOUNT OF EXEMPT EARNINGS WORKSHEET

PLAINTIFF(S): \_\_\_\_\_

DEFENDANT(S): \_\_\_\_\_

Gross Pay for _____ thru _____		\$ _____
Less Deductions Required by Law	-	\$ _____
Disposable Earnings	=	\$ _____
Less Statutory Exemption	-	\$ _____
Net Amount Subject to Garnishment	=	\$ _____
Less Wage/Income Assignment (If Any)	-	\$ _____
AMOUNT PAID	=	\$ _____

I affirm that I am authorized to act for the Garnishee, the above Calculation is true and correct, and I have delivered a copy of this Calculation to the Judgment Debtor at the time earnings were paid for the above period.

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

CUT ALONG THE DOTTED LINE AND MAIL WITH EACH CHECK TO THE PARTY DESIGNATED IN PARAGRPH "e" ON FRONT OF WRIT OF CONTINUING GARNISHMENT.

Form 29.  
**WRIT OF GARNISHMENT WITH NOTICE OF  
EXEMPTION AND PENDING LEVY**

<input type="checkbox"/> County Court <input type="checkbox"/> District Court County, Colorado			
Court Address:			
Plaintiff(s)/Petitioner(s):		<b>▲ COURT USE ONLY ▲</b>	
v.			
Defendant(s)/Respondent(s):			
Judgment Creditor's Attorney or Judgment Creditor (Name and Address):		Case Number:	
Phone Number:	E-mail:		
FAX Number:	Atty. Reg. #:	Division	Courtroom
<b>WRIT OF GARNISHMENT WITH NOTICE OF EXEMPTION AND PENDING LEVY</b>			

Judgment Debtor's name, last known address, other identifying information: \_\_\_\_\_

- |   |            |
|---|------------|
| 1. Original Amount of Judgment Entered _____ (date)                 | \$ _____   |
| 2. Plus any Interest Due on Judgment ( _____ % per annum)           | + \$ _____ |
| 3. Taxable Costs (including estimated cost of service of this Writ) | + \$ _____ |
| 4. Less any Amount Paid   | - \$ _____ |
| 5. Principal Balance/Total Amount Due and Owning                    | = \$ _____ |

I affirm that I am authorized to act for the Judgment Creditor and this is a correct statement as of \_\_\_\_\_ (date).

Subscribed under oath before me on \_\_\_\_\_  
Print Judgment Creditor's Name

Notary Public or Deputy Clerk \_\_\_\_\_ Address: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_  
By: \_\_\_\_\_  
Signature (Type Name, Title, Address and Phone No.)

**WRIT OF GARNISHMENT WITH NOTICE OF EXEMPTION AND PENDING LEVY**

THE PEOPLE OF THE STATE OF COLORADO to the Sheriff of any Colorado County, or to any person 18 years or older and who is not a party to this action:  
You are directed to serve a copy of this Writ of Garnishment upon \_\_\_\_\_, Garnishee, with proper return of service to be made to the Court.

- TO THE GARNISHEE:**  
**YOU ARE HEREBY SUMMONED AS GARNISHEE IN THIS ACTION AND ORDERED:**
- a. To answer the following questions under oath and file your answers with the Clerk of the Court (AND to mail a completed copy with your answers to the Judgment Creditor or attorney when a stamped envelope is attached) within 14 days following service of this Writ upon you. **YOUR FAILURE TO ANSWER THIS WRIT WITH NOTICE MAY RESULT IN THE ENTRY OF A DEFAULT AGAINST YOU.**
  - b. To hold pending court order the personal property of any kind (other than earnings of a natural person) in your possession or control, including the debts, credits, choses in action or money owed to the Judgment Debtor whether they are due at the time of the service of the writ or are to become due thereafter.

- YOU ARE NOTIFIED:**
- a. This Writ with Notice applies to all personal property (other than earnings) owed to or owned by the Judgment Debtor and in your possession or control as of the date and time this Writ was served upon you.
  - b. In no case may you withhold any personal property greater than the amount on Line 5 on the front of this Writ unless the personal property is incapable of being divided.
  - c. If you are ordered to pay funds to the Court, tender your check for the amount ordered PAYABLE TO THE CLERK OF THE \_\_\_\_\_, COURT AT \_\_\_\_\_, COLORADO.

CLERK OF THE COURT By Deputy Clerk: \_\_\_\_\_

DATE: \_\_\_\_\_



**QUESTIONS TO BE ANSWERED BY GARNISHEE****Judgment Debtor's Name:** \_\_\_\_\_ **Case Number:** \_\_\_\_\_

The following questions MUST be answered by you under oath:

- a. On the date and time this Writ was served upon you, did you possess or control any personal property of the Judgment Debtor or did you owe any rents, payments, obligations, debts or moneys other than earnings to the Judgment Debtor?

☐ YES ☐ NO

- b. If YES, list all items of personal property and their location(s) and/or describe the nature and amount of the debt or obligation: (Attach additional pages if necessary): \_\_\_\_\_

- c. Do you claim any setoff against any property, debt or obligation listed above? ☐ YES ☐ NO

- d. If you answered YES to question c, describe the nature and amount of the setoff claimed:

(Attach additional pages if necessary): \_\_\_\_\_

I affirm that I am authorized to act for the Garnishee and the above answers are true and correct.

Name of Garnishee (Print) \_\_\_\_\_

Subscribed under oath before me on \_\_\_\_\_ (date) Address: \_\_\_\_\_

\_\_\_\_\_  
Notary Public/Deputy Clerk Phone Number \_\_\_\_\_

My Commission Expires: \_\_\_\_\_ Name of Person Answering (Print) \_\_\_\_\_

Signature of Person Answering \_\_\_\_\_

**NOTICE TO JUDGMENT DEBTOR OF EXEMPTION AND PENDING LEVY**

This Writ with Notice is a Court order which may cause your property or money to be held and taken to pay a judgment entered against you. You have legal rights which may prevent all or part of your money or property from being taken. That part of the money or property which may not be taken is called "exempt property". A partial list of "exempt property" is shown below, along with the law which may make all or part of your money or property exempt. The purpose of this notice is to tell you about these rights.

**PARTIAL LIST OF EXEMPT PROPERTY**

1. All or part of your property listed in Sections 13-54-101 and 102, C.R.S., including clothing, jewelry, books, burial sites, household goods, food and fuel, farm animals, seed, tools, equipment and implements, military allowances, stock-in-trade and certain items used in your occupation, bicycles, motor vehicles (greater for disabled persons), life insurance, income tax refunds, including a refund attributed to an earned income tax credit or child tax credit, money received because of loss of property or for personal injury, equipment that you need because of your health, or money received because you were a victim of a crime.
2. All or part of your earnings under Section 13-54-104, C.R.S.
3. Worker's compensation benefits under Section 8-42-124, C.R.S.
4. Unemployment compensation benefits under Section 8-80-103, C.R.S.
5. Group life insurance benefits under Section 10-7-205, C.R.S.
6. Health insurance benefits under Section 10-16-212, C.R.S.
7. Fraternal society benefits under Section 10-14-403, C.R.S.
8. Family allowances under Section 15-11-404, C.R.S.
9. Teachers' retirement fund benefits under Section 22-64-120, C.R.S.
10. Public employees' retirement benefits (PERA) under Sections 24-51-212 and 24-54-111, C.R.S.
11. Social security benefits (OASDI, SSI) under 42 U.S.C. §407.
12. Railroad employee retirement benefits under 45 U.S.C. §231m.
13. Public assistance benefits (OAP, AFDC, TANF, AND, AB, LEAP) under Section 26-2-131, C.R.S.
14. Police Officer's and Firefighter's pension fund payments under Sections 31-30-1117 & 31-30.5-208 and 31-31-203, C.R.S.
15. Utility and security deposits under Section 13-54-102(1)(r), C.R.S.
16. Proceeds of the sale of homestead property under Section 38-41-207, C.R.S.
17. Veteran's Administration benefits under 38 U.S.C. §5301.
18. Civil service retirement benefits under 5 U.S.C. §8346.
19. Mobile homes and trailers under Section 38-41-201.6, C.R.S.
20. Certain retirement and pension funds and benefits under Section 13-54-102(1)(s), C.R.S.
21. A Court-ordered child support or maintenance obligation or payment under Section 13-54-102(1)(u), C.R.S.
22. Public or private disability benefits under Section 13-54-102(1)(v), C.R.S.

If the money or property which is being withheld from you includes any "exempt property," you must file within 14 days of receiving this notice a written Claim of Exemption with the Clerk of the Court describing what money or property you think is "exempt property" and the reason that it is exempt. **YOU MUST USE THE APPROVED FORM** attached to this Writ or a copy of it. When you file the claim, you must immediately deliver, by certified mail, return receipt requested, a copy of your claim to the Garnishee (person/place that was garnished) and to the Judgment Creditor's attorney, or if none, to the Judgment Creditor at the address shown on this Writ with Notice. Notwithstanding your right to claim the property as "exempt," no exemption other than the exemptions set forth in Section 13-54-104(3), C.R.S., may be claimed for a Writ which is the result of a judgment taken for arrearages for child support or for child support debt.

Once you have properly filed your claim, the court will schedule a hearing within 14 days. The Clerk of the Court will notify you and the Judgment Creditor or attorney of the date and time of the hearing, by telephone, by mail or in person.

When you come to your hearing, you should be ready to explain why you believe your money or property is "exempt property". If you do not appear at the scheduled time, your money or property may be taken by the Court to pay the judgment entered against you.

**REMEMBER THAT THIS IS ONLY A PARTIAL LIST OF "EXEMPT PROPERTY";** you may wish to consult with a lawyer who can advise you of your rights. If you cannot afford one, there are listings of legal assistance and legal aid offices in the yellow pages of the telephone book.

You must act quickly to protect your rights. Remember, you only have 14 days after receiving this notice to file your claim of exemption with the Clerk of the Court.

### RETURN OF SERVICE

**Judgment Debtor's Name:** \_\_\_\_\_ **Case Number:** \_\_\_\_\_

I declare under oath that I am 18 years or older and not a party to the action and have served a copy of this Writ of Garnishment on \_\_\_\_\_ (name of garnishee) in \_\_\_\_\_ (County) \_\_\_\_\_ (State) on \_\_\_\_\_ (date) \_\_\_\_\_ (time) at the following location:

**By (Check one):**

- ☐ By handing it to a person identified to me as \_\_\_\_\_ (name of garnishee).
- ☐ By leaving it with \_\_\_\_\_ (Type or write name legibly), who is designated to receive service because of a legal relationship with \_\_\_\_\_ (name of garnishee) as provided for in C.R.C.P. 4(e).
- ☐ I attempted to serve \_\_\_\_\_ (name of garnishee) on \_\_\_\_\_ occasions but have not been able to locate him/her/it. Return to the Judgment Creditor is made on \_\_\_\_\_ (date).
- ☐ I attempted to leave it with \_\_\_\_\_ (name of person) who refused service.

- ☐ Private process server
- ☐ Sheriff, \_\_\_\_\_ County  
Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_

\_\_\_\_\_  
Signature of Process Server

\_\_\_\_\_  
Name (Print or type)

Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. **Note: Not required for service by a sheriff or deputy.**

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public/Clerk



**Form 30.**  
**CLAIM OF EXEMPTION TO**  
**WRIT OF GARNISHMENT WITH NOTICE**

<input type="checkbox"/> County Court <input type="checkbox"/> District Court County, Colorado		<b>▲    COURT USE ONLY    ▲</b>
Court Address: _____		
Plaintiff(s)/Petitioner(s): _____		
v. Defendant(s)/Respondent(s): _____		
Judgment Debtor's Attorney or Judgment Debtor (Name and Address): _____		Case Number: _____
Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____		Division _____ Courtroom _____
<b>CLAIM OF EXEMPTION TO WRIT OF GARNISHMENT WITH NOTICE</b>		

**Instruction to Judgment Debtor:** Use this form to claim your property is exempt from Garnishment.

Name: \_\_\_\_\_ Phone Number \_\_\_\_\_  
Street Address: \_\_\_\_\_  
Mailing Address, if different: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**I believe the following property is exempt:**

Description of Property Being Held: \_\_\_\_\_  
Value of Property Being Held: \$ \_\_\_\_\_  
Amount of Value I Claim is Exempt: \$ \_\_\_\_\_

I claim the Property is Exempt because *(Please write the Exemption(s) listed in the Writ of Garnishment with Notice, if applicable):*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I certify that the above is correct to the best of my knowledge and belief and that I sent a copy of this document by  
☐ certified mail (return receipt requested) ☐ or by E-Service to both the Garnishee and to the Judgment Creditor,  
or if the Judgment Creditor is represented by Counsel, ☐ certified mail (return receipt requested) to the Judgment  
Creditor's Attorney or ☐ E-Service to the Judgment Creditor's Attorney.

The person/place that was garnished	Judgment Creditor or Attorney
Address: _____	Address: _____
_____	_____

Subscribed under affirmation or oath before me on _____ (date)	_____ Signature of Judgment Debtor or Judgment Debtor's Counsel and Reg. Number
---	---

My commission expires: \_\_\_\_\_  
\_\_\_\_\_  
Notary Public/Deputy Clerk

Form 31.

WRIT OF GARNISHMENT FOR SUPPORT

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Juvenile Court County, Colorado Court Address:  In re <input type="checkbox"/> The Marriage of: <input type="checkbox"/> Parental responsibilities concerning:  Petitioner: and Co-Petitioner/Respondent:  Judgment Creditor's Attorney or Judgment Creditor (Name and Address):  Phone Number: E-mail: FAX Number: Atty. Reg. #:	<div>▲ COURT USE ONLY ▲</div> Case Number:  Division Courtroom
WRIT OF GARNISHMENT FOR SUPPORT	

Judgment Debtor's name, last known address, other identifying information: \_\_\_\_\_

1. Original Amount of Judgment Entered _____ (date)	\$ _____	JUDGMENT FOR: (Mark Appropriate Boxes)
2. Plus any Interest Due on Judgment ( _____ % per annum)	+ \$ _____	<input type="checkbox"/> Child Support ONLY
3. Taxable Costs (including estimated cost of service of this Writ)	+ \$ _____	(Date of Order _____) <input type="checkbox"/> Maintenance ONLY
4. Less any Amount Paid	- \$ _____	<input type="checkbox"/> Child Support and Maintenance
5. Principal Balance/Total Amount Due and Owing	\$ _____	<input type="checkbox"/> Case commenced after 4/30/91

Mark the Appropriate Box Below to Determine the Amount of the Statutory Exemption (MARK ONLY ONE BOX)

☐ The Judgment Debtor is supporting a spouse or a dependent child, and the judgment is for a period which is 12 weeks or older (Write "45" in the blank space on Line c, below).

☐ The Judgment Debtor is supporting a spouse or dependent child, and the judgment is for a period which is less than 12 weeks old (Write "50" in the blank space on Line c, below).

☐ The Judgment Debtor is not supporting a spouse or dependent child, and the judgment is for a period which is 12 weeks or older (Write "35" in the blank space on Line c, below).

☐ The Judgment Debtor is not supporting a spouse or dependent child, and the judgment is for a period which is less than 12 weeks old (Write "40" in the blank space on Line c, below).

☐ I do not know whether the Judgment Debtor is supporting a spouse or dependent child, but the judgment is for a period which is 12 weeks or older (Write "45" in the blank space on Line c, below).

☐ I do not know whether the Judgment Debtor is supporting a spouse or dependent child, but the judgment is for a period which is less than 12 weeks old (Write "50" in the blank space on Line c, below).

I affirm that I am authorized to act for the Judgment Creditor and this is a correct statement as of \_\_\_\_\_ (date).

Subscribed under oath before me on _____	Print Judgment Creditor's Name _____
Notary Public/ Deputy Clerk _____	Address: _____
My Commission Expires: _____	By: _____ Signature (Type Name, Title, Address and Phone)

### WRIT OF GARNISHMENT FOR SUPPORT

THE PEOPLE OF THE STATE OF COLORADO to the Sheriff of any Colorado County, or to any person 18 years or older and who is not a party to this action:

You are directed to serve A COPY of this Writ of Garnishment for Support upon \_\_\_\_\_ Garnishee, with proper return of service to be made to the Court.

**TO THE GARNISHEE:**

**YOU ARE HEREBY SUMMONED AS GARNISHEE IN THIS ACTION AND ORDERED:**

- a. To answer the following questions under oath and file your answers with the Clerk of the Court (AND to mail a completed copy with your answers to the Judgment Creditor or attorney when a stamped envelope is attached) no less than 7 nor more than 14 days following the time you pay the Judgment Debtor for the first time following service of this Writ or 42 days following service of this Writ upon you, whichever is less. YOUR FAILURE TO ANSWER THIS WRIT OF GARNISHMENT FOR SUPPORT MAY RESULT IN THE ENTRY OF A DEFAULT AGAINST YOU.
- b. To pay any nonexempt earnings to the payee as indicated in section d below no less than 7 nor more than 14 days following each time you pay the Judgment Debtor during the effective period of this Writ and attach a copy of the Calculation of the Amount of Exempt Earnings used (the Calculation under "Questions to be Answered by Garnishee" should be used for the first pay period, and one of the multiple Calculation forms included with this Writ should be used for all subsequent pay periods).
- c. The amount of the exemption is \_\_\_\_\_ % of disposable earnings.
- d. Payments shall be mailed to the:

☐ Family Support Registry  
P. O. Box 2171  
Denver, CO 80201-2171  
Acct #: \_\_\_\_\_

☐ Judgment Creditor  
\_\_\_\_\_

CLERK OF THE COURT

By Deputy Clerk: \_\_\_\_\_

DATE: \_\_\_\_\_

### NOTICE TO GARNISHEE

- a. This Writ applies to all nonexempt earnings owed or owing until the Principal Balance/Total Amount Due and Owning (Line 5 on the front of this Writ) has been withheld or the garnishment is released by the court or in writing by the Judgment Creditor. If you are presently under a Writ of Continuing Garnishment or served with such Writ while this Writ of Garnishment for Support is in effect, this Writ takes priority over the other Writs, and this is the only one in force and effect.
- b. "EARNINGS" INCLUDES ALL FORMS OF COMPENSATION FOR PERSONAL SERVICES.
- c. The percentage of disposable earnings shown on Line c above is exempt from this Writ of Garnishment for Support.
- d. In no case may you withhold any amount greater than the amount on Line 5 on the front of this Writ.

### QUESTIONS TO BE ANSWERED BY GARNISHEE

Judgment Debtor's Name: \_\_\_\_\_ Case Number: \_\_\_\_\_

The following questions MUST be answered by you under oath:

- a. On the date and time this Writ of Garnishment for Support was served upon you, did you owe or do you anticipate owing any of the following to the Judgment Debtor? (Mark appropriate box(es)).
  1. ☐ WAGES/SALARY/COMMISSIONS/BONUS/OTHER COMPENSATION FOR PERSONAL SERVICES (Earnings)
  2. ☐ Pension or Retirement Benefits or Health/Accident/Disability/Casualty Insurance Funds or Payments.
  3. ☐ Workers' Compensation Benefits or Payments (For child support in cases filed after 4/30/91 ONLY)
  4. ☐ Payments to an Independent Contractor for Labor or Services, Dividends, Severance Pay, Royalties, Monetary Gifts/Prizes, Interest, Trust Income, Annuities, Capital Gains, Rents, or Taxable Distributions from Certain Business Entities (For child support orders entered after 6/30/96 ONLY)

If you marked any box above, indicate how the Judgment Debtor is paid:  
☐ WEEKLY    ☐ BI-WEEKLY    ☐ SEMI-MONTHLY    ☐ MONTHLY    ☐ OTHER
- b. If you marked Box 1, complete the Calculation below for the "First Pay Period" following receipt of this Writ.
- c. If you marked Box 2, 3 or 4, complete the Calculation below for the "First Pay Period" following receipt of this Writ; however, if the judgment includes maintenance (as indicated on the front of this Writ) the earnings may be totally exempt, and you should seek legal advice about such exemption. IF THE EARNINGS ARE TOTALLY EXEMPT, PLEASE MARK BOX 5 BELOW:
5. ☐ THE EARNINGS ARE TOTALLY EXEMPT BECAUSE \_\_\_\_\_

CALCULATION OF THE AMOUNT OF EXEMPT EARNINGS (First Pay Period)

Gross Earnings for the First Pay Period from _____ through _____	\$ _____
Plus Tips Reported or Imputed by Federal Law (Child Support Orders after 6/30/96)	+ \$ _____
Less Deductions Required by Law (e.g., Withholding Taxes, FICA)	- \$ _____
Disposable Earnings (Gross Earnings Plus Tips (where applicable) Less Deductions)	= \$ _____
Less Statutory Exemption (Use percentage shown on Line c in the Writ portion above)	- \$ _____
Net Amount Subject to Garnishment	= \$ _____
Less Wage/Income Assignment(s) During Pay Period (If Any)	- \$ _____
Amount to be withheld	= \$ _____

I affirm that I am authorized to act for the Garnishee and the above answers are true and correct.

Name of Garnishee (Print) \_\_\_\_\_

Subscribed under oath before me on \_\_\_\_\_ (date) Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Name of Person Answering (Print) \_\_\_\_\_

Notary Public

My Commission Expires: \_\_\_\_\_ Signature of Person Answering \_\_\_\_\_

RETURN OF SERVICE

Judgment Debtor's Name: \_\_\_\_\_ Case Number: \_\_\_\_\_

I declare under oath that I am 18 years or older and not a party to the action and have served a copy of this Writ of Garnishment for Support on \_\_\_\_\_ (name of party) in \_\_\_\_\_ (County) \_\_\_\_\_ (State) on \_\_\_\_\_ (date) \_\_\_\_\_ (time) at the following location: \_\_\_\_\_

By (Check one):

☐ By handing it to a person identified to me as \_\_\_\_\_ (name of garnishee).

☐ By leaving it with \_\_\_\_\_ (Type or write name legibly), who is designated to receive service because of a legal relationship with \_\_\_\_\_ (name of garnishee) as provided for in C.R.C.P. 4(e).

☐ I attempted to serve \_\_\_\_\_ (name of garnishee) on \_\_\_\_\_ occasions but have not been able to locate him/her/it. Return to the Judgment Creditor is made on \_\_\_\_\_ (date).

☐ I attempted to leave it with \_\_\_\_\_ (name of person) who refused service.

☐ Private process server

☐ Sheriff, \_\_\_\_\_ County

Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_

Signature of Process Server \_\_\_\_\_

Name (Print or type) \_\_\_\_\_

Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. **Note: Not required for service by a sheriff or deputy.**

My Commission Expires: \_\_\_\_\_

Notary Public/Clerk \_\_\_\_\_





QUESTIONS TO BE ANSWERED BY GARNISHEE

Judgment Debtor's Name: \_\_\_\_\_ Case Number: \_\_\_\_\_

The following questions MUST be answered by you under oath:

- a. On the date and time this Writ was served upon you, did you possess or control any personal property of the Judgment Debtor or did you owe any rents, payments, obligations, debts or moneys to the Judgment Debtor?  
☐ YES    ☐ NO
- b. If YES, list all items of personal property and their location(s) and/or describe the nature and amount of the debt or obligation: (Attach additional pages is necessary): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Do you claim any setoff against any property, debt or obligation listed above?  
☐ YES    ☐ NO
- d. If you answered YES to question c, describe the nature and amount of the setoff claimed:  
(Attach additional pages if necessary): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I affirm that I am authorized to act for the Garnishee and the above answers are true and correct.

Subscribed under oath before me on \_\_\_\_\_ (date)

Name of Garnishee (Print) \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

Notary Public

Name of Person Answering (Print) \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_ Signature of Person Answering \_\_\_\_\_



RETURN OF SERVICE

Judgment Debtor's Name: \_\_\_\_\_ Case Number: \_\_\_\_\_

I declare under oath that I am 18 years or older and not a party to the action and have served a copy of this Writ of Garnishment on \_\_\_\_\_ (name of party) in \_\_\_\_\_ (County) \_\_\_\_\_ (State) on \_\_\_\_\_ (date) \_\_\_\_\_ (time) at the following location: \_\_\_\_\_

By (Check one):

- ☐ By handing it to a person identified to me as \_\_\_\_\_ (name of garnishee).
- ☐ By leaving it with \_\_\_\_\_ (Type or write name legibly), who is designated to receive service because of a legal relationship with \_\_\_\_\_ (name of garnishee) as provided for in C.R.C.P. 4(e).
- ☐ I attempted to serve \_\_\_\_\_ (name of garnishee) on \_\_\_\_\_ occasions but have not been able to locate him/her/it. Return to the Judgment Creditor is made on \_\_\_\_\_ (date).
- ☐ I attempted to leave it with \_\_\_\_\_ (name of person) who refused service.

☐ Private process server  
☐ Sheriff, \_\_\_\_\_ County  
Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_

\_\_\_\_\_  
Signature of Process Server  
\_\_\_\_\_  
Name (Print or type)

Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. **Note: Not required for service by a sheriff or deputy.**

My Commission Expires: \_\_\_\_\_  
\_\_\_\_\_  
Notary Public/Clerk

Form 33.  
**WRIT OF GARNISHMENT  
IN AID OF WRIT OF ATTACHMENT**

<input type="checkbox"/> County Court <input type="checkbox"/> District Court County, Colorado		<b>▲ COURT USE ONLY ▲</b>
Court Address:		
Plaintiff(s)/Petitioner(s): v. Defendant(s)/Respondent(s):		
Attorney or Party without Attorney (Name and Address):		Case Number:
Phone Number:	E-mail:	Division      Courtroom
FAX Number:	Atty. Reg. #:	
<b>WRIT OF GARNISHMENT IN AID OF WRIT OF ATTACHMENT</b>		

Defendant in Attachment's name, last known address, other identifying information: \_\_\_\_\_

- |  |            |
|--|------------|
| 1. Original Amount of Claim  | \$ _____   |
| 2. Plus any Interest Due on Claim ( _____ % per annum from _____ (date)) | + \$ _____ |
| 3. Taxable Costs (including estimated cost of service of this Writ)      | + \$ _____ |
| 4. Less any Amount Paid  | - \$ _____ |
| 5. Principal Balance/Total Amount Due and Owng                           | = \$ _____ |

I affirm that I am authorized to act for the Plaintiff in Attachment and this is a true and correct statement as of \_\_\_\_\_ (date).

Subscribed under oath before me on _____ (date)	Print Plaintiff in Attachment's Name _____
Notary Public or Deputy Clerk _____	Address: _____
My Commission Expires: _____	By: _____
	Signature (Type Name, Title, Address and Phone) _____

**WRIT OF GARNISHMENT**

**THE PEOPLE OF THE STATE OF COLORADO** to the Sheriff of any Colorado County or to any person 18 years or older and not a party to this action:  
You are directed to serve a copy of this Writ of Garnishment upon \_\_\_\_\_, Garnishee, with proper return of service to be made to the Court.

**TO THE GARNISHEE:**  
**YOU ARE HEREBY SUMMONED AS GARNISHEE IN THIS ACTION AND ORDERED:**

- a. To answer the following questions under oath and file your answers with the Clerk of the Court (**AND** to mail a completed copy with your answer to the Plaintiff in Attachment or attorney when a stamped envelope is attached) within 14 days following service of this Writ upon you. **YOUR FAILURE TO ANSWER THIS WRIT MAY RESULT IN THE ENTRY OF A DEFAULT AGAINST YOU.**
- b. To hold pending court order any personal property (other than earnings of a natural person) owed to or owned by the Defendant in Attachment and in your possession or control on the date and time this Writ was served upon you.

**YOU ARE NOTIFIED:**

- a. This Writ applies to all personal property (other than earnings of a natural person) owed to or owned by the Defendant in Attachment and in your possession or control as of the date and time this Writ was served upon you.

b. In no case may you withhold any personal property greater than the amount on Line 5 on the front of this Writ unless the personal property is incapable of being divided.

c. If you are ordered to pay funds to the Court, tender your check for the amount ordered **PAYABLE TO THE CLERK OF THE** \_\_\_\_\_ **COURT AT** \_\_\_\_\_, **CO** \_\_\_\_\_

CLERK OF THE COURT

By Deputy Clerk: \_\_\_\_\_

Date: \_\_\_\_\_

### QUESTIONS TO BE ANSWERED BY GARNISHEE

**Defendant in Attachment's Name:** \_\_\_\_\_ **Case Number:** \_\_\_\_\_

The following questions **MUST** be answered by you under oath:

a. On the date and time this Writ was served upon you, did you possess or control any personal property of the Defendant in Attachment or did you owe any rents, payments, obligations, debts or moneys other than earnings to the Defendant in Attachment? ☐ **YES** ☐ **NO**

b. If **YES** to question a, list all items of personal property and their location(s) and/or describe the nature and amount of the debt or obligation: (Attach additional pages if necessary): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Do you claim any setoff against any property, debt or obligation listed above? ☐ **YES** ☐ **NO**

d. If you answered **YES** to question c, describe the nature and amount of the setoff claimed:

(Attach additional pages if necessary): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I affirm that I am authorized to act for the Garnishee and the above answers are true and correct.

Name of Garnishee (Print) \_\_\_\_\_

Subscribed under oath before me on \_\_\_\_\_ (date) Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

\_\_\_\_\_  
Notary Public Name of Person Answering (Print) \_\_\_\_\_

My Commission Expires: \_\_\_\_\_ Signature of Person Answering \_\_\_\_\_

RETURN OF SERVICE

Defendant in Attachment's Name: \_\_\_\_\_ Case Number: \_\_\_\_\_

I declare under oath that I am 18 years or older and not a party to the action and have served a copy of this Writ of Garnishment on \_\_\_\_\_ (name of party) in \_\_\_\_\_ (County) \_\_\_\_\_ (State) on \_\_\_\_\_ (date) \_\_\_\_\_ (time) at the following location: \_\_\_\_\_

- By (Check one):
- ☐ By handing it to a person identified to me as \_\_\_\_\_ (name of garnishee).
  - ☐ By leaving it with \_\_\_\_\_ (Type or write name legibly), who is designated to receive service because of a legal relationship with \_\_\_\_\_ (name of garnishee) as provided for in C.R.C.P. 4(e).
  - ☐ I attempted to serve \_\_\_\_\_ (name of garnishee) on \_\_\_\_\_ occasions but have not been able to locate him/her/it. Return to the Judgment Creditor is made on \_\_\_\_\_ (date).
  - ☐ I attempted to leave it with \_\_\_\_\_ (name of person) who refused service.
  - ☐ Private process server
  - ☐ Sheriff, \_\_\_\_\_ County  
Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_
- Signature of Process Server

\_\_\_\_\_

Name (Print or type)

\_\_\_\_\_

Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. **Note: Not required for service by a sheriff or deputy.**

My Commission Expires: \_\_\_\_\_

Notary Public/Clerk \_\_\_\_\_



**Form 34.**  
**NOTICE OF LEVY**

<input type="checkbox"/> District Court <input type="checkbox"/> County Court <div style="text-align: right; margin-right: 50px;">County, Colorado</div> Court Address: _____  Plaintiff(s): _____  v. _____  Defendant(s): _____	<b>▲ COURT USE ONLY ▲</b>  Case Number: _____  Division: _____      Courtroom: _____
<b>NOTICE OF LEVY</b>	

**TO THE JUDGMENT DEBTOR(S):**

You are hereby notified that pursuant to and under the authority of a WRIT OF GARNISHMENT IN AID OF WRIT OF ATTACHMENT issued by the Clerk of the Court, certain personal property, owned by you, or owed to you, is being held or taken to pay the claim of the above Plaintiff(s).

The personal property being held or taken is:

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You have legal rights that may prevent all or part of your money or property from being taken. That part of the money or property that may not be taken is called "exempt property." A partial list of "exempt property" is shown below, along with the law which may make all or part of your money or property exempt. Notwithstanding your right to claim the property as "exempt", no exemption other than the exemptions set forth in Section 13-54-104(3), C.R.S., may be claimed for a Writ which is the result of a judgment taken for arrearages for child support or for child support debt. The purpose of this Notice of Levy is to tell you about these rights.

If the money or property which is being withheld from you includes any "exempt property", you must file within 14days of receiving this Notice of Levy a written claim of exemption with the Clerk of the Court, describing what money or property you think is "exempt property" and the reason that it is exempt.

You must act quickly to protect your rights. Remember, you only have 14days after receiving this Notice of Levy to file your claim of exemption with the Clerk of Court. Your failure to file a claim of exemption with 14days is a waiver of your right to file.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Clerk of Court/Deputy Clerk

**PARTIAL LIST OF EXEMPT PROPERTY (Numbered statutory references are subject to change)**

1. All or part of your property listed in Sections 13-54-101 and 102, C.R.S., including clothing jewelry, books, burial sites, household goods, food and fuel, farm animals, seed, tools, equipment and implements, military allowances, stock-in-trade, certain items used in your occupation, bicycles, motor vehicles (greater for disabled persons), life insurance, income tax refunds, money received because of loss of property or for personal injury, equipment that you need because of your health, or money received because you were a victim of a crime.
2. All or part of your earnings under Section 13-54-104, C.R.S.

- 3. Workers' compensation benefits under Section 8-42-124, C.R.S.
- 4. Unemployment compensation benefits under Section 8-80-103, C.R.S.
- 5. Group life insurance benefits under Section 10-7-205, C.R.S.
- 6. Health insurance benefits under Section 10-16-212, C.R.S.
- 7. Fraternal society benefits under Section 10-14-403, C.R.S.
- 8. Family allowances under Section 15-11-404, C.R.S.
- 9. Teachers' retirement fund benefits under Section 22-64-120, C.R.S.
- 10. Public employees' retirement benefits (PERA) under Sections 24-51-212 and 24-54-111, C.R.S.
- 11. Social security benefits (OASDI, SSI) under 42 U.S.C. §407.
- 12. Railroad employee retirement benefits under 45 U.S.C. §23.
- 13. Public assistance benefits (OAP, AFDC, TANF, AND, AB, LEAP) under Section 26-2-131, C.R.S.
- 14. Policemen's and firemen's pension fund payments under Sections 31-30-117, 31-30.5-208 and 31-31-203, C.R.S.
- 15. Utility and security deposits under Section 13-54-102(1)(r), C.R.S.
- 16. Proceeds of the sale of homestead property under Section 38-41-207, C.R.S.
- 17. Veteran's Administration benefits under 38 U.S.C. §5301.
- 18. Civil service benefits under 5 U.S.C. §8346.
- 19. Mobile homes and trailers under Section 38-41-201.6, C.R.S.
- 20. Certain retirement and pension funds and benefits under Section 13-54-102(2)(s), C.R.S.
- 22. A Court-ordered child support and maintenance obligation or payment under Section 13-54-102(1)(u), C.R.S.
- 23. Public or private disability benefits under Section 13-54-102(1)(v), C.R.S.

REMEMBER THAT THIS IS ONLY A PARTIAL LIST OF "EXEMPT PROPERTY"; you may wish to consult with a lawyer who can advise you of your rights. If you cannot afford one, there are listings of legal assistance and legal aid offices in the yellow pages of the telephone book.

RETURN OF SERVICE

Judgment Debtor's Name \_\_\_\_\_ Case Number: \_\_\_\_\_

I declare under oath that I am 18 years or older and not a party to the action and have served this Notice of Levy in this case on \_\_\_\_\_ (name of party) in \_\_\_\_\_ (County) \_\_\_\_\_ (State) on \_\_\_\_\_ (date) \_\_\_\_\_ (time) at the following location: \_\_\_\_\_

By (Check one):

- ☐ By handing it to a person identified to me as \_\_\_\_\_ (name of judgment debtor).
- ☐ By leaving it with \_\_\_\_\_ (Type or write name legibly), who is designated to receive service because of a legal relationship with \_\_\_\_\_ (name of judgment debtor) as provided for in C.R.C.P. 4(e).
- ☐ I attempted to serve \_\_\_\_\_ (name of judgment debtor) on \_\_\_\_\_ occasions but have not been able to locate him/her/it. Return to the Judgment Creditor is made on \_\_\_\_\_ (date).
- ☐ I attempted to leave it with \_\_\_\_\_ (name of person) who refused service.

☐ Private process server  
☐ Sheriff, \_\_\_\_\_ County  
Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_  
Signature of Process Server \_\_\_\_\_  
Name (Print or type) \_\_\_\_\_

Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_. Note: Not required for service by a sheriff or deputy.  
My Commission Expires: \_\_\_\_\_  
Notary Public/Clerk \_\_\_\_\_



Form 35.2.  
SWORN FINANCIAL STATEMENT

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Juvenile Court County, Colorado Court Address: _____		<div>▲ COURT USE ONLY ▲</div>
In re: <input type="checkbox"/> The Marriage of: <input type="checkbox"/> Parental Responsibilities concerning: _____		
Petitioner: and Co-Petitioner/Respondent: _____		
Attorney or Party Without Attorney (Name and Address): _____		
Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____		Case Number: _____ Division _____ Courtroom _____
<b>SWORN FINANCIAL STATEMENT</b>		

I, \_\_\_\_\_ (full name) ☐ am ☐ am not currently employed.  
I am employed \_\_\_\_\_ hours per week. I am paid ☐ weekly ☐ bi-weekly ☐ twice a month ☐ monthly.  
My pay is based on a ☐ Monthly Salary ☐ Hourly rate of \$ \_\_\_\_\_ ☐ Other: \_\_\_\_\_  
Date employment began \_\_\_\_\_  
My occupation is: \_\_\_\_\_ Name of employer: \_\_\_\_\_  
Address of employer: \_\_\_\_\_  
If unemployed, what date did you last work? \_\_\_\_\_  
I am unemployed due to ☐ disability ☐ involuntary layoff at work ☐ other: \_\_\_\_\_  
This household consists of \_\_\_\_\_ adult(s), and \_\_\_\_\_ minor child(ren).  
I believe the monthly gross income of the other party is \$ \_\_\_\_\_.  
Annual gross income (last tax year 20\_\_) for Petitioner \$ \_\_\_\_\_, ☐ Co-Petitioner/Respondent \$ \_\_\_\_\_

1. Monthly Income (Convert annual, bi-monthly, and weekly amounts to monthly amounts.)

Gross Monthly Income (before taxes and deductions) from salary and wages, including commissions, bonuses, overtime, self-employment, business income, other jobs, and monthly reimbursed expenses.	\$	Social Security Benefits (SSA) <input type="checkbox"/> SSDI (Disability insurance – entitlement program) <input type="checkbox"/> SSI (supplemental income – need based)	\$
Unemployment & Veterans' Benefits		Disability, Workers' Compensation	
Pension & Retirement Benefits		Interest & Dividends	
Public Assistance (TANF)		Other -	
		Total Monthly Income	\$
Miscellaneous Income			
Royalties, Trusts, and Other Investments	\$	Contributions from Others	\$
Dependent Children's monthly gross income. Source of Income: _____		All other sources, i.e. personal injury settlement, non-reported income, etc.	
Rental Net Income		Expense Accounts	
Child Support from Others		Other -	
Spousal Support from Others		Other -	
		Total Monthly Miscellaneous Income	\$
		Total Income	\$

2. Monthly Deductions (Mandatory and Voluntary)

Mandatory Deductions	Cost Per Month		Cost Per Month
Federal Income Tax	\$	State/Local Income Tax	\$
PERA/Civil Service		Social Security Tax	
Medicare Tax		Other -	
Total Mandatory Deductions			\$
Voluntary Deductions	Cost Per Month		Cost Per Month
Life and Disability Insurance	\$	Stocks/Bonds	\$
Health, Dental, Vision Insurance Premium		Retirement & Deferred Compensation	
Total number of people covered on Plan →			
Child Care (deducted from salary)		Other -	
Flex Benefit Cafeteria Plan		Other -	
Total Voluntary Deductions			\$
Total Monthly Deductions			\$

3. Monthly Expenses

Note: List regular monthly expenses below that you pay on an on-going basis and that are not identified in the deductions above.

A. Housing

	Cost Per Month		Cost Per Month
1 <sup>st</sup> Mortgage	\$	2 <sup>nd</sup> Mortgage	\$
Insurance (Home/Rental) & Property Taxes (not included in mortgage payment)		Condo/Homeowner's/Maintenance Fees	
Rent		Other -	
Total Housing			\$

B. Utilities and Miscellaneous Housing Services

	Cost Per Month		Cost Per Month
Gas & Electricity	\$	Water, Sewer, Trash Removal	\$
Telephone (local, long distance, cellular & pager)		Property Care (Lawn, snow removal, cleaning, security system, etc.)	
Internet Provider, Cable & Satellite TV		Other -	
Total Utilities and Miscellaneous Housing Services			\$

C. Food & Supplies

	Cost Per Month		Cost Per Month
Groceries & Supplies	\$	Dining Out	\$
Total Food & Supplies			\$

D. Health Care Costs (Co-pays, Premiums, etc.)

	Cost Per Month		Cost Per Month
Doctor & Vision Care	\$	Dentist and Orthodontist	\$
Medicine & RX Drugs		Therapist	
Premiums (if not paid by employer)		Other -	
Total Health Care			\$

**E. Transportation & Recreation Vehicles (Motorcycles, Motor Homes, Boats, ATV, Snowmobiles, etc.)**

	Cost Per Month		Cost Per Month
Primary Vehicle Payment	\$	Other Vehicle Payments	\$
Fuel, Parking, and Maintenance		Insurance & Registration/Tax Payments (yearly amount(s) ÷ 12)	
Bus & Commuter Fees		Other -	
<b>Total Transportation</b>			<b>\$</b>

**F. Children's Expenses and Activities**

	Cost Per Month		Cost Per Month
Clothing & Shoes	\$	Child Care	\$
Extraordinary Expenses i.e. Special Needs, etc.		Misc. Expenses, i.e. Tutor, Books, Activities, Fees, Lunch, etc.	
Tuition		Other -	
<b>Total Children's Expenses and Activities</b>			<b>\$</b>

**G. Education for you - Please identify status:** ☐ Full-time student ☐ Part-time student

	Cost Per Month		Cost Per Month
Tuition, Books, Supplies, Fees, etc.		Other -	
<b>Total Education</b>			<b>\$</b>

**H. Maintenance & Child Support (that you pay)**

	Cost Per Month		Cost Per Month
Spousal Maintenance		Child Support	
<input type="checkbox"/> This family	\$	<input type="checkbox"/> This family	\$
<input type="checkbox"/> Other family		<input type="checkbox"/> Other family	
<b>Total Maintenance and Child Support</b>			<b>\$</b>

**I. Miscellaneous (Please list on-going expenses not covered in the sections above)**

	Cost Per Month		Cost Per Month
Recreation/Entertainment	\$	Personal Care (Hair, Nail, Clothing, etc.)	\$
Legal/Accounting Fees		Subscriptions (Newspapers, Magazines, etc.)	
Charity/Worship		Movie & Video Rentals	
Vacation/Travel/Hobbies		Investments (Not part of payroll deductions)	
Membership/Clubs		Home Furnishings	
Pets/Pet Care		Sports Events/Participation	
Other -		Other -	
Other -		Other -	
Other -		Other -	
Other -		Other -	
<b>Total Miscellaneous</b>			<b>\$</b>

<b>Total Monthly Expenses (Totals from A – I)</b>	<b>\$</b>
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4. Debts (unsecured)

List unsecured debts such as credit cards, store charge accounts, loans from family members, back taxes owed to the I.R.S., etc. **Do not** list debts that are liens against your property, such as mortgages and car loans, because that payment is already listed as an expense above, and the total of the debt is shown elsewhere as a deduction from value where that asset is listed, such as under Real Estate or Motor Vehicles.  
**For name on account, "P" = Petitioner, "C/R" = Co-Petitioner or Respondent, "J" = Joint.**

Name of Creditor	Account Number (last 4-digits only)	P	C/R	J	Date of Balance	Balance	Minimum Monthly Payment Required	Reason for Which Debt was Incurred
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		\$	\$	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
Unsecured Debt Balance						\$	\$	→Total Minimum Monthly Payment

SWORN FINANCIAL STATEMENT SUMMARY  
(INCOME/EXPENSES)

Total Income (from Page 1)\$A

Total Monthly Deductions (from Page 2)\$B

Total Monthly Net Income (A minus B)\$

Total Monthly Expenses (from Page 3)\$C

Total Minimum Monthly Payment Required - Debts Unsecured (from Page 4)\$D

Total Monthly Expenses and Payments (C plus D)\$

Net Excess or Shortfall (Monthly Net Income less Monthly Expenses and Payments)	(+/-) \$
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### 5. Assets

You **MUST** disclose all assets correctly. By indicating "None", you are stating affirmatively that you or the other party, do not have assets in that category. Please attach additional copies of pages 5 & 6 to identify your assets, if necessary.

*If the parties are married*, check under the heading Joint (J) all assets acquired during the marriage but not by gift or inheritance. Under the headings of Petitioner (P) or Co-Petitioner/Respondent (C/R), check assets owned before this marriage and assets acquired by gift or inheritance.

*If the parties were NEVER married to each other or are using this form to modify child support*, list all of each party's assets under the headings of Petitioner (P) or Co-Petitioner/Respondent (C/R).

**"P" = Petitioner, "C/R" = Co-Petitioner or Respondent, "J" = Joint.**

A. Real Estate (Address or Property Description and Name of Creditor/ Lender) <input type="checkbox"/> None	P	C/R	J	Estimated Value as of Today Value = what you could sell it for in its current condition.	Amount Owed	Net Value/Equity (Value minus amount owed)
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$	\$	\$
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<b>Total</b>				\$	\$	\$

B. Motor Vehicles & Recreation Vehicles Including Motorcycles, ATV's, Boats, etc.) (Year, Make, Model) (Name of Creditor/Lender) <input type="checkbox"/> None	P	C/R	J	Estimated Value as of Today Value = what you could sell it for in its current condition.	Amount Owed	Net Value/Equity (Value minus amount owed)
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<b>Total</b>				\$	\$	\$

C. Cash on Hand, Bank, Checking, Savings, or Health Accounts (Name of Bank or Financial Institution) <input type="checkbox"/> None	P	C/R	J	Type of Account	Account # (last 4-digits only)	Balance as of Today
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			\$
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<b>Total</b>						\$

D. Life Insurance (Name of Company/Beneficiary) <input type="checkbox"/> None	P	C/R	J	Type of Policy	Face Amount of Policy	Cash Value today
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		\$	\$
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<b>Total</b>					\$	\$



E. Furniture, Household Goods, and Other Personal Property, i.e. Jewelry, Antiques, Collectibles, Artwork, Power Tools, etc. Identify Items and report in total. <input type="checkbox"/> None	P	C/R	J	Current Possession Held by			Estimated Value as of Today Value = what you could sell it for in its current condition.
				P	C/R	J	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	\$
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Total							\$

F. Stocks, Bonds, Mutual Funds, Securities & Investment Accounts <input type="checkbox"/> None <input type="checkbox"/> If owned please attach JDF 1111-SS.	Total	\$
G. Pension, Profit Sharing, or Retirement Funds <input type="checkbox"/> None <input type="checkbox"/> If owned please attach JDF 1111-SS.	Total	\$

H. Miscellaneous Assets <input type="checkbox"/> None If you own any of the assets identified below, please check the appropriate box and attach JDF 1111-SS to report the value.			
<input type="checkbox"/> Business Interests	<input type="checkbox"/> Stock Options	<input type="checkbox"/> Money/Loans owed to you	<input type="checkbox"/> IRS Refunds due to you
<input type="checkbox"/> Country Club & Other Memberships	<input type="checkbox"/> Livestock, Crops, Farm Equipment	<input type="checkbox"/> Pending lawsuit or claim by you	<input type="checkbox"/> Accrued Paid Leave (sick, vacation, personal)
<input type="checkbox"/> Oil and Gas Rights	<input type="checkbox"/> Vacation Club Points	<input type="checkbox"/> Safety Deposit Box/Vault	<input type="checkbox"/> Trust Beneficiary
<input type="checkbox"/> Frequent Flyer Miles	<input type="checkbox"/> Education Accounts	<input type="checkbox"/> Health Savings Accounts	<input type="checkbox"/> Mineral and Water Rights
<input type="checkbox"/> Other -	<input type="checkbox"/> Other -	<input type="checkbox"/> Other -	<input type="checkbox"/> Other -
Total			\$

I. Separate Property <input type="checkbox"/> None <input type="checkbox"/> If owned please attach JDF 1111-SS to identify the property and to report the value.	Total	\$
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Total Value/Balance of All Assets (A – I)	\$
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I swear or affirm under oath that this Sworn Financial Statement, attached schedules, and mandatory disclosures contain a complete disclosure of my income, expenses, assets, and debt as of the date of my signature.

I understand that if the information I have provided changes or needs to be updated before a final decree or order is issued by the Court, that I have a duty to provide the correct or updated information.

I understand that this oath is made under penalty of perjury. I understand that if I have omitted or misstated any material information, intentionally or not, the Court will have the power to enter orders to address those matters, including the power to punish me for any statements made with the intent to defraud or mislead the Court or the other party.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of ☐Petitioner or ☐Co-Petitioner/Respondent

Subscribed and affirmed, or sworn to before me in the  
County of \_\_\_\_\_, State of \_\_\_\_\_,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public/Deputy Clerk

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**CERTIFICATE OF SERVICE**  
**To be completed if the Sworn Financial Statement is not being filed with**  
**JDF 1104 - Certificate of Compliance with Mandatory Financial Disclosures**

I certify that on \_\_\_\_\_ (date) a true and accurate copy of the **SWORN FINANCIAL STATEMENT** was served on the other party by:

- ☐Hand Delivery, ☐E-filed, ☐Faxed to this number: \_\_\_\_\_, or  
☐By placing it in the United States mail, postage pre-paid, and addressed to the following:

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Your signature

**Form 35.4.**  
**PATTERN INTERROGATORIES**  
**(DOMESTIC RELATIONS)**

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**FORM 35.4 – Pattern Interrogatories (Domestic Relations)**

**[Reference to C.R.C.P. 16.2, 26 and 33. These are not to be filed with the court, except as may be ordered.]**

The following Pattern Interrogatories are propounded to \_\_\_\_\_  
pursuant to C.R.C.P. 16.2, 26 and 33.

***Section 1. Instructions to All Parties***

- (a) These are general instructions. For time limitations, requirements for service on other parties, and other details, see C.R.C.P. 16.2, 26, 33, 121 §1-12, and the cases construing those Rules.
- (b) These interrogatories do not change existing law relating to interrogatories nor do they affect an answering party's right to assert any privilege or objection.

***Section 2. Instructions to the Asking Party***

- (a) These interrogatories are designed for optional use in domestic relations cases only.
- (b) Use care in choosing those interrogatories that are applicable to the case.
- (c) Subject to the limitations in C.R.C.P. Rules 16.2 and 33, additional interrogatories may be attached.

***Section 3. Instructions to the Answering Party***

- (a) An answer or other appropriate response must be given to each interrogatory. Parties are to answer these interrogatories with the understanding that they stand in a fiduciary relationship with each other.
- (b) As a general rule, within 35 days after you are served with these interrogatories, you must serve your responses on the asking party and serve copies of your responses on all other parties to the action who have appeared. See C.R.C.P. 33 for details.
- (c) Each answer must be as complete and straightforward as the information reasonably available to you permits. If an interrogatory cannot be answered completely, answer it to the extent possible.
- (d) If you do not have enough personal knowledge to fully answer an interrogatory, say so, but make a reasonable and good faith effort to get the information by asking other persons or organizations, unless the information is equally available to the asking party in which case state the identity, address and telephone number of the person in possession.
- (e) Whenever an interrogatory may be answered by referring to a document, the document may be attached as an exhibit to the response and referred to in the response. If the document has more than one page, refer to the page and section where the answer to the interrogatory can be found.
- (f) Whenever an address and telephone number for the same person are requested in more than one interrogatory, you are required to furnish them in answering only the first interrogatory asking for that information.
- (g) Your answers to these interrogatories must be verified, dated, and signed. You may wish to use the following form at the end of your answers:

I declare under penalty of perjury under the laws of the State of Colorado that the foregoing answers are true and correct.



DATE \_\_\_\_\_ SIGNATURE \_\_\_\_\_

**Section 4. Definitions**

- (a) You or your includes you, your agents, your employees, your insurance companies, their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf.
- (b) Person includes a natural person, firm, association, organization, partnership, business, trust, corporation, or public entity.
- (c) Document means a writing, as defined in CRE 1001 and includes the original or a copy of handwriting, typewriting, printing, photostating, photographing, magnetic impulses, mechanical or electronic recording or other form of data compilation and every other means of recording upon any tangible thing and form of communicating or representation, including letters, words, pictures, sounds, or symbols, or combinations of them.
- (d) Address means the street address, including the city, state, and zip code.

**Section 5. Pattern Interrogatories**

The following interrogatories have been approved by the Colorado Supreme Court under C.R.C.P. 16.2 and 33.

1. If you are employed by any business or enterprise, for each state:
  - a. Its name, address and telephone number;
  - b. Your position;
  - c. Your present gross monthly income;
  - d. Your compensation arrangement including a complete description of draws, incentives, bonuses, perquisites and any other method of compensation;
  - e. Your date of hire;
  - f. The names of all documents fixing your compensation terms (contract, corporate minutes, memoranda, policy manual, etc.);
  - g. If you have the use of company property, describe and explain your arrangement for use and payment;
  - h. Whether you have any outstanding bonuses, commissions, or any other payment, benefit or perquisite due to you, and if so, please describe and state the amount and date due;
  - i. The date of your next compensation review;
  - j. The amount of compensation adjustment anticipated at your next compensation review.
2. Other than your present place of employment, list in detail all other places of employment during your marriage. With regard to each, state the following:
  - a. The name, address and telephone number of your employer;
  - b. The inclusive dates of employment;
  - c. The type of work performed;
  - d. The gross annual income from such employment in each of the years during the marriage.
  - e. Any retirement benefits earned with that employer.
3. State, in detail, your level of education, and all professional or vocational training which you have received, dates you attended each institution or received training, and the date any degrees or certificates of completion were acquired. State with particularity any additional professional, vocational or artistic skills for which you have received compensation or public recognition.
4. If the expenses on your Affidavit with Respect to Financial Affairs include the support of any person other than yourself or your children, state the name of each person and the monthly expenses attributable to

such person.

5. If you have disposed of any property with a value of \$1,000.00 or more, including without limitation, stocks, bonds, debentures or other items of a similar nature in the last 12 months, for each item state:
  - a. Description of the property;
  - b. The date acquired and tax basis;
  - c. The date you disposed of the property;
  - d. The amount received by you;
  - e. The fair market value of the security on the date disposed of;
  - f. What you did with the sale proceeds;
  - g. The amount that is still due and owing to you.
6. If during the last three years you have sold or transferred any interest in real property, for each sale and/or transfer, state:
  - a. The address and description of the property;
  - b. The date of sale or transfer;
  - c. The method of transfer;
  - d. The name and address of each purchaser or person receiving title, and the interest received by such person;
  - e. The purchase price or consideration;
  - f. The amount of the purchase price that remains due and owing;
  - g. The amount of the proceeds of the transfer received by you;
  - h. The disposition of the proceeds;
  - i. The interest you presently have in such property.
7. If any person or entity holds any property for your benefit, including, but not limited to bank accounts, IRAs, Keoghs, stocks, securities or investments of any kind, for each state:
  - a. The name and address of each such person, firm or legal entity;
  - b. A description of the item held for your benefit;
  - c. The conditions under which the item is held for your benefit;
  - d. The fair market value of the property.
8. If you are currently involved in any business or investment with others, for each set forth the particular details, including the following:
  - a. A description of the business or investment;
  - b. The name and address of the other parties involved;
  - c. The purpose;
  - d. Your contribution;
  - e. The tax basis of your contribution;
  - f. Your percentage of ownership;
  - g. The fair market value of your share;
  - h. Any agreement among the partners for ownership, management and sale.
9. If you have received any gifts of money, non-taxable income or assets from any source other than through your business or employment of \$1,000.00 or more in the last three years, set forth the following:
  - a. The amount of money or value of the asset received and date of receipt;
  - b. The name and address of the person or entity from whom the amount is received;
  - c. The consideration given by you or other reason for payment to you.
10. If you are a beneficiary of the estate of any person, state:
  - a. The amount of the estate;
  - b. Whether the estate is being probated or administrated;
  - c. Whether distribution has been made to you from such estate;
  - d. The amount of money or property you have received from such estate;
  - e. The date(s) distribution was made; or if distribution has not been made, the date you anticipate receiving said distribution.
11. If you are a beneficiary of any current or terminated trust, state:



- a. The date of the creation of each trust;
  - b. The name and address of the trustee;
  - c. The amount of principal in the trust;
  - d. The amount of income and other distributions you receive each year from the trust;
  - e. The name and address of the grantor;
  - f. If the trust has been terminated, the date and circumstances of the termination.
12. For any business operated by you alone or with others during the last three years, state the following:
  - a. The name and address of the business;
  - b. The form of the business organization;
  - c. The name and address of each officer and owner of the business;
  - d. The date when you obtained your interest in the business;
  - e. Your capital contribution to the business;
  - f. Your ownership interest (by percentage and number of shares);
  - g. The date and amount of all outstanding loans to which you are a party;
  - h. The annual gross profits of the business since you have been engaged in the business;
  - i. All payments to or for you from the business, whether salary, bonus, dividend, commission, draw, advance, loan or payment of personal expenses from three years to date;
  - j. All expenses reimbursed to or paid for you by each business, including but not limited to, insurance, supplies, food, travel, transportation, education, entertainment, and business gifts from three years to date;
  - k. The fair market value of the business;
  - l. The current fair market value of your interest, and your explanation of how you calculated same;
  - m. Whether or not you intend to sell your interest;
  - n. The tax basis of your interest.
13. If allocation of parental responsibilities (that is, decision-making and/or parenting time) is an issue:
  - a. State whether joint parental decision-making or sole parental decision-making is best for the child(ren) and why;
  - b. State which party should be designated primary residential care and why;
  - c. Outline a schedule of parenting time for each party, including a holiday/school break schedule and a summer schedule;
  - d. Outline the manner in which parental responsibilities have been shared with the other party, i.e., daily caretaking, participation in school/extracurricular events, financial support, choosing the child(ren)'s doctors and dentists, choosing school(s), etc.;
  - e. Describe any history of domestic violence, child abuse, or neglect (supporting documentation should be provided);
  - f. Describe any physical, psychological or addictive condition of either party which if untreated has a harmful effect on the best interest of the child(ren) and why;
  - g. Describe any special needs of any child (physical, psychological, educational, etc.);
  - h. Describe any history of counseling or therapy for either party or any child; include the names, addresses and telephone numbers of the person(s) providing same;
  - i. State whether regular contact with grandparents, extended family, and/or other significant adults is contrary to the best interests of the child(ren) and why;
  - j. Describe any extraordinary travel arrangements necessary for parenting time;
  - k. Describe current child support arrangements and state whether payments are current;
  - l. Describe the child care arrangements for the child(ren) for the last three years including the name, address and telephone number of each child care provider.

**Form 35.5.**  
**PATTERN REQUESTS FOR PRODUCTION**  
**OF DOCUMENTS (DOMESTIC RELATIONS)**

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**FORM 35.5 - Pattern Requests for Production of Documents (Domestic Relations) [Reference to C.R.C.P. 16.2, 26 and 34. These are not to be filed with the court, except as may be ordered.]**

The following Pattern Requests for Production of Documents to \_\_\_\_\_ are propounded pursuant to C.R.C.P. 16.2, 26 and 34.

***Section 1. Instructions to All Parties***

- (a) These are general instructions. For time limitations, requirements for service on other parties, and other details, see C.R.C.P. 16.2, 34, 121 §1-12, and the cases construing those Rules.
- (b) These requests for production of documents do not change existing law relating to requests for production of documents nor do they affect an answering party's right to assert any privilege or objection.

***Section 2. Instructions to the Asking Party***

- (a) These requests for production of documents are designed for optional use in domestic relations cases only.
- (b) Use care in choosing only those requests for production of documents that are applicable to the case. Documents should not be requested that have been provided by disclosure or other means.
- (c) Subject to the limitations in C.R.C.P. Rules 16.2 and 34, additional requests for production of documents may be attached.
- (d) Complete and accurate copies may replace originals.

***Section 3. Instructions to the Answering Party***

- (a) An answer or other appropriate response must be given to each request for production of documents. Parties are to provide documents in response to these requests for production of documents with the understanding that they stand in a fiduciary relationship with each other.
- (b) As a general rule, within 35 days after you are served with these requests for production of documents, you must serve your responses on the asking party and serve copies of your responses on all other parties to the action who have appeared. See C.R.C.P. 34 for details.
- (c) The response shall state with respect to each item or category that inspection and related activities will be permitted as requested, unless the request is objected to, in which event the reasons for the objection shall be stated. If an objection is made to part of an item or category, the part shall be specified and an inspection permitted of the remaining parts.
- (d) A party who produces documents for inspection shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the request.

***Section 4. Definitions***

- (a) You or your includes you, your agents, your employees, your insurance companies, their agents, their employees, your attorneys, your accountants, your investigators, and anyone else acting on your behalf.
- (b) Person includes a natural person, firm, association, organization, partnership, business, trust, corporation, or public entity.
- (c) Document means a writing, as defined in CRE 1001 and includes the original or a copy of handwriting, typewriting, printing, photostating, photographing, magnetic impulses, mechanical or electronic recording or other form of data compilation and every other means of recording upon any tangible thing and form of communicating or representation, including letters, words, pictures, sounds, or symbols, or combinations of them.
- (d) Address means the street address, including the city, state, and zip code.

### ***Section 5. Pattern Request for Production of Documents***

The following requests for production of documents have been approved by the Colorado Supreme Court under C.R.C.P. 16.2, 26 and 34.

1. All balance sheets, and/or profit and loss statements for any business entity in which you have more than a 10 percent equity interest, which have been prepared in the last three years.
2. All passbooks, certificates of deposit, credit union deposits, money market accounts, NOW accounts, mutual funds, and other evidence of savings accounts in which you or the other party has an interest or appear of record thereon, for the last three years.
3. All monthly bank statements, deposit slips, canceled checks, and check registers of every checking or other money management account in which you or the other party has an interest or appear of record thereon, for the last three years.
4. Copies of all stock certificates, stock option plans, stock option certificates, vesting schedules, or warrants owned or in which either party has an interest, and copies of all documents establishing ownership and/or defining ownership value for all investments, or any other documents evidencing your interest in such stock, stock options, or investments.
5. All brokerage account statements and documents concerning any and all securities and investments owned by you or for your benefit during the last three years.
6. All appraisals, market analyses, records of purchase and sale, deeds, bills of sale, security agreements, promissory notes, and payment records for any property, including but not limited to, real estate, business interests or any kind of personal property either owned or sold within the last three years by you or the other party.
7. All trust agreements in which you or the other party is or has been grantor, trustee or beneficiary.
8. Monthly credit card and charge account statements for the last twenty-four months, from any credit card company or charge account on which you are a signator, either in a personal capacity or as an authorized signatory for any business or person.

9. All documentation evidencing any separate interest you claim in any real or personal property, including but not limited to gift and inheritance tax returns filed concerning such property.



Form 36.  
NOTICE OF WITHDRAWAL AS ATTORNEY OF RECORD

<input type="checkbox"/> District Court <input type="checkbox"/> County Court <input type="checkbox"/> Denver Juvenile Court County, Colorado		
Court Address:		
Petitioner/Plaintiff:		
v.		▲ COURT USE ONLY ▲
Respondent/Co-Petitioner/Defendant:		
Attorney (Name and Address):		Case Number:
Phone Number:	E-mail:	Division Courtroom
FAX Number:	Atty. Reg. #:	

NOTICE OF WITHDRAWAL AS ATTORNEY OF RECORD

Undersigned attorney for the ☐ Petitioner/Plaintiff or ☐ Respondent/Co-Petitioner/Defendant provides this Notice of Withdrawal as attorney of record and affirms to the Court, the client and all other attorneys and parties of record:

- 1. That the attorney wishes to withdraw and has made reasonable efforts to give actual notice to the client prior to filing this Notice.
- 2. There are no unresolved matters currently pending before the Court. Any written orders have been submitted and entered by the Court and complied with by the withdrawing attorney.
- 3. The Clerk of the Court shall enter the withdrawal of counsel upon receipt of this Notice. No written Order shall be issued by the Court.
- 4. The client or opposing counsel may file an Objection to this Notice of Withdrawal within -14 days. If an Objection is filed the matter shall be referred to the Court.
- 5. Last known address and telephone number of client:

Petitioner or Plaintiff or Respondent/Co-Petitioner or Defendant

Address

City, State, Zip Code

(Area Code) Telephone Number (home and work)

Date: \_\_\_\_\_ Attorney Signature \_\_\_\_\_

CERTIFICATE OF SERVICE

I certify that on \_\_\_\_\_ (date) a true and accurate copy of the *Notice of Withdrawal as Attorney of Record* was served on the client and all other counsel or parties of record by ☐ Hand Delivery, ☐ E-filed, ☐ Faxed to this number \_\_\_\_\_ or ☐ by placing it in the United States mail, postage pre-paid, and addressed to the following:

To: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ Your signature \_\_\_\_\_



**JDF 80.**  
**DISTRICT COURT SUBPOENA TO ATTEND OR**  
**ATTEND AND PRODUCE OR PRODUCE**

<b>District Court</b>  dasd _____ County, Colorado Court Address:    Plaintiff(s)/Petitioner(s):  v.  Defendant(s)/Respondent(s):  dada _____	<b>▲ COURT USE ONLY ▲</b>   Case Number:   Division: _____ Courtroom: _____
<b>SUBPOENA TO   <input type="checkbox"/>ATTEND   <input type="checkbox"/>ATTEND and PRODUCE   <input type="checkbox"/>PRODUCE</b>	

To: adsdas  
**You are ordered to:**

☐ **Attend** and give testimony at a ☐ deposition, ☐ hearing, ☐ trial at the \_\_\_\_\_ (court) at Division \_\_\_\_/Courtroom \_\_\_\_, at \_\_\_\_\_ (address), on \_\_\_\_\_ (date) at \_\_\_\_\_ (time), as a witness for \_\_\_\_\_ (name of party) in this action. If for a deposition, the means of recording will be by ☐ shorthand reporter, ☐ video, ☐ audio.

**OR**

☐ **Attend, Produce**, and give testimony at a ☐ deposition, ☐ hearing, ☐ trial at the \_\_\_\_\_ (court) at Division \_\_\_\_/Courtroom \_\_\_\_, at \_\_\_\_\_ (address), on \_\_\_\_\_ (date) at \_\_\_\_\_ (time), as a witness for \_\_\_\_\_ (name of party) in this action; If for a deposition, the means of recording will be by ☐ shorthand reporter, ☐ video, ☐ audio; and **PRODUCE** the following books, papers and documents, whether in physical or electronic form, or tangible things now in your possession, custody or control:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date and time of production: Unless otherwise agreed to in writing by all parties and privilege holder or holders and the person subpoenaed, production must be made no sooner than 14 days from the date of service of this subpoena and no later than \_\_\_\_\_ (date and time). In the case of an expedited hearing pursuant to C.R.C.P. 45 or any statute, in the absence of such agreement, production shall be made only at the place, date and time for compliance set forth in the subpoena.

**CONTINUED ON THE FOLLOWING PAGES**

OR

☐ **Produce** the following books, papers and documents, whether in physical or electronic form, or tangible things now in your possession, custody or control (attach a separate sheet if necessary):

Place of production:

Date and time of production: Unless otherwise agreed to in writing by all parties and privilege holder or holders and the person subpoenaed, production must be made no sooner than 14 days from the date of service of this subpoena and no later than \_\_\_\_\_ (date and time) In the case of an expedited hearing pursuant to C.R.C.P. 45 or any statute, in the absence of such agreement, production shall be made only at the place, date and time for compliance set forth in the subpoena.

**Notice form:**

If this subpoena is served for production of records or a tangible thing, see the attached important notice which sets out portions of Colorado Rule of Civil Procedure 45 concerning protections for subpoenaed persons and the requirements for production of records and tangible things.

**Identity of parties:**

The following are the names of the parties in this action and the names, addresses, phone numbers and e-mail addresses of the attorneys for the parties and of any parties who have entered appearances without an attorney:

Name:	Address	Phone number:	Email Address

The party and the party's attorney who are serving this subpoena:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Clerk/Deputy Clerk/Attorney

CONTINUED ON THE FOLLOWING PAGE

AFFIDAVIT OF SERVICE

I declare under oath that, I am 18 years or older and not a party to the action and that I served the attached Subpoena on \_\_\_\_\_ (Person named in this Subpoena or name of agent served) in \_\_\_\_\_ (County) \_\_\_\_\_ (State) on \_\_\_\_\_ (date) at the following location: \_\_\_\_\_

Check one:

- ☐ By handing it to a person identified to me as \_\_\_\_\_ or by leaving it with the named person who refused service.
- ☐ I attempted to serve the person named in this subpoena on \_\_\_\_\_ occasions but have not been able to locate the named person.

Check one:

- ☐ Private process server
- ☐ Sheriff, \_\_\_\_\_ County

Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_

Signature of Process Server \_\_\_\_\_

Name (Print or type) \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

Notary Public /Deputy Clerk \_\_\_\_\_ Date \_\_\_\_\_

WAIVER OF SERVICE

I hereby waive Personal Service and accept service of this subpoena by mail/fax. \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

Phone Day: \_\_\_\_\_

Phone Evening: \_\_\_\_\_

**JDF 80.1.**  
**DISTRICT COURT NOTICE TO SUBPOENA RECIPIENTS**

**NOTICE TO SUBPOENA RECIPIENTS**  
**(when production of records or tangible things is sought )**

**Protecting a Person Subject to a Subpoena.** (required by Colorado Rule of Civil Procedure 45(c))

(1) **Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction, which may include lost earnings and reasonable attorney's fees, on a party or attorney who fails to comply.

(2) **Command to Produce Records or Tangible Things.**

(A) **Attendance Not Required.** A person commanded to produce records or tangible things need not attend in person at the place of production unless also commanded to attend for a deposition, hearing, or trial.

(B) **For Production of Privileged Records.**

(i) If a subpoena commands production of records from a person who provides services subject to one of the privileges established by C.R.S. § 13-90-107 or from the records custodian for that person, which records pertain to services performed by or at the direction of that person ("privileged records"), such a subpoena must be accompanied by an authorization signed by the privilege holder or holders or by a court order authorizing production of such records.

(ii) Prior to the entry of an order for a subpoena to obtain the privileged records, the court shall consider the rights of the privilege holder in such privileged records, including an appropriate means of notice to the privilege holder or holders or whether any objection to production may be resolved by redaction.

(iii) If a subpoena for privileged records does not include a signed authorization or court order permitting the privileged records to be produced by means of subpoena, the subpoenaed person shall not appear to testify and shall not disclose any of the privileged records to the party who issued the subpoena.

(C) **Objections.** Any party or the person subpoenaed to produce records or tangible things may submit to the party issuing the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials. The objection must be submitted before the earlier of the time specified for compliance or 14 days after the subpoena is served. If objection is made, the party issuing the subpoena shall promptly serve a copy of the objection on all other parties. If an objection is made, the party issuing the subpoena is not entitled to inspect, copy test or sample the materials except pursuant to an order of the court from which the subpoena was issued. If an objection is made, at any time on notice to the subpoenaed person and the other parties, the party issuing the subpoena may move the issuing court for an order compelling production.

(3) **Quashing or Modifying a Subpoena.**

(A) **When Required.** On motion made promptly and in any event at or before the time specified in the subpoena for compliance, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to attend a deposition in any county other than where the person resides or is employed or transacts his business in person. or at such other convenient place as is fixed by an order of court;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or



(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the issuing court may, on motion made promptly and in any event at or before the time specified in the subpoena for compliance, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific matters in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order attendance or production under specified conditions if the issuing party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

**Duties in Responding to Subpoena.** (required by Colorado Rule of Civil Procedure 45(d))

**(1) Producing Records or Tangible Things.**

(A) Unless agreed in writing by all parties, the privilege holder or holders and the person subpoenaed, production shall not be made until at least 14 days after service of the subpoena, except that, in the case of an expedited hearing pursuant to these rules or any statute, in the absence of such agreement, production shall be made only at the place, date and time for compliance set forth in the subpoena; and

(B) If not objected to, a person responding to a subpoena to produce records or tangible things must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand and must permit inspection, copying, testing, or sampling of the materials.

**(2) Claiming Privilege or Protection.**

(A) *Information Withheld.* Unless the subpoena is subject to subsection (c)(2)(B) of this Rule relating to production of privileged records, a person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) make the claim expressly; and

(ii) describe the nature of the withheld records or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.



**JDF 80.2.**  
**COUNTY COURT SUBPOENA TO ATTEND OR**  
**ATTEND AND PRODUCE**

County Court _____ County, Colorado Court Address: _____  Plaintiff(s)/Petitioner(s): _____ v. _____ Defendant(s)/Respondent(s): _____	<div>▲ COURT USE ONLY ▲</div> <div>Case Number: _____</div> <div>Division: _____ Courtroom: _____</div>
<b>SUBPOENA TO <input type="checkbox"/>ATTEND <input type="checkbox"/>ATTEND AND PRODUCE</b>	

To: \_\_\_\_\_  
You are ordered to attend and give testimony at \_\_\_\_\_ (Division)  
\_\_\_\_\_ (Address)  
on \_\_\_\_\_ (Date) at \_\_\_\_\_ (Time) as a witness for the ☐Plaintiff(s)/Petitioner(s)  
☐Defendant(s)/Respondent(s) in this action.  
At that time and place, you also shall produce the following items now in your custody or control:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_  
\_\_\_\_\_  
Clerk/Deputy Clerk or Attorney

**AFFIDAVIT OF SERVICE**

I declare under oath that, I am 18 years or older and not a party to the action and that I served this Subpoena to  
☐Attend ☐Attend and Produce to the Witness in \_\_\_\_\_ (County) \_\_\_\_\_ (State)  
on \_\_\_\_\_ (date) at the following location: \_\_\_\_\_

Check one:

- ☐ By handing it to a person identified to me as the Witness or by leaving it with the Witness who refused service.
- ☐ I attempted to serve the Witness on \_\_\_\_\_ occasions but have not been able to locate the Witness.
- ☐ Private process server
- ☐ Sheriff, \_\_\_\_\_ County  
Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_

\_\_\_\_\_  
Signature of Process Server

\_\_\_\_\_  
Name (Print or type)

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public /Deputy Clerk      Date



(May be continued on separate sheets of paper)

☐ The Defendants failed to follow CDOC regulations and/or deprived me of my constitutional rights. Specify the regulation and/or constitutional right; explain how it was violated and how the violation changed the outcome of the administrative proceeding: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(May be continued on separate sheets of paper)

☐ Other: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(May be continued on separate sheets of paper)

**4. Relief requested:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Wherefore, Plaintiff prays that the Court grant the relief to which the Plaintiff may be entitled in this proceeding.

\_\_\_\_\_  
Date signed

\_\_\_\_\_  
Plaintiff's original signature

\_\_\_\_\_  
Plaintiff's printed name & DOC#

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code



APPENDIX TO CHAPTER 25

**The Colorado  
Rules of County Court  
Civil Procedure**



THE UNIVERSITY OF CHICAGO

*The Chicago  
History of Chicago and  
Chicagoans*

# APPENDIX TO CHAPTER 25

## FORMS

(Some forms in this Appendix are available from the Colorado courts web page at <http://www.courts.state.co.us/chs/court/forms/selfhelpcenter.htm>.)

### SPECIAL FORM INDEX

Form 1A.	Summons in Forcible Entry and Unlawful Detainer.
Form 7.	Pattern Interrogatories Under C.R.C.P. 369(g) - Individual.
Form 7A.	Pattern Interrogatories Under C.R.C.P. 369(g) - Business.
Form 9.	Disclosure Statement.

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Form 1A.  
SUMMONS IN FORCIBLE ENTRY AND UNLAWFUL DETAINER

County Court _____ County, Colorado Court Address: _____		<b>▲ COURT USE ONLY ▲</b>
Plaintiff(s): v. Defendant(s): <input type="checkbox"/> Any and all other occupants:		
Attorney or Party Without Attorney (Name and Address):  Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____		
Case Number:		
Division _____ Courtroom _____		
<b>SUMMONS IN FORCIBLE ENTRY AND UNLAWFUL DETAINER</b>		

To the above named Defendant(s), take notice that:

- On \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_M. in the \_\_\_\_\_ County Court, \_\_\_\_\_, Colorado, the Court may be asked to enter judgment against you as set forth in the complaint.
- A copy of the complaint against you and an answer form that you must use if you file an answer are attached.
- If you do not agree with the complaint, then you must either:
  - Go to the Court, located at: \_\_\_\_\_, Colorado, at the above date and time and file an answer stating any legal reason you have why judgment should not be entered against you,  
**OR**
  - File the answer with the Court before that date and time.
- When you file your answer, you must pay a filing fee to the Clerk of the Court.
- If you file an answer, you must personally serve or mail a copy to the Plaintiff(s) or the attorney who signed the complaint.
- If you do not file with the Court, at or before the time for appearance specified in this summons, an answer to the complaint setting forth the grounds upon which you base your claim for possession and denying or admitting all of the material allegations of the complaint, judgment by default may be taken against you for the possession of the property described in the complaint, for the rent, if any, due or to become due, for present and future damages and costs, and for any other relief to which the Plaintiff(s) is (are) entitled.
- If you are claiming that the landlord's failure to repair the residential premises is a defense to the landlord's allegation of nonpayment of rent, the Court will require you to pay into the registry of the Court, at the time of filing your answer, the rent due less any expenses you have incurred based upon the landlord's failure to repair the residential premises. In addition to filing an answer, you are required to complete an Affidavit (JDF 109) to support the amount you will need to pay into the registry of the Court.
- If you want a jury trial, you must ask for one in the answer and pay a jury fee in addition to the filing fee.
- If you want to file an answer or request a jury trial and you are indigent, you must appear at the above date and time, fill out a financial affidavit, and ask the Court to waive the fee.

Dated at \_\_\_\_\_, Colorado, this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

Clerk of the Court

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Attorney for Plaintiff(s) (if applicable)

\_\_\_\_\_  
Address(es) of Plaintiff(s)

\_\_\_\_\_  
Telephone Number(s) of Plaintiff(s)

This Summons is issued pursuant to §13-40-111, C.R.S. A copy of the Complaint together with a blank answer form must be served with this Summons. This form should be used only for actions filed under Colorado's Forcible Entry and Detainer Act.

To the clerk: If this Summons is issued by the Clerk of the Court, the signature block for the clerk, deputy and the seal of the Court should be provided by stamp, or typewriter, in the space to the left of the attorney's name.

**WARNING: ALL FEES ARE NON-REFUNDABLE. IN SOME CASES, A REQUEST FOR A JURY TRIAL MAY BE DENIED PURSUANT TO LAW EVEN THOUGH A JURY FEE HAS BEEN PAID.**

**CERTIFICATE OF MAILING**

I/we, the undersigned Plaintiff(s) (or agent for Plaintiff(s)), certify that on \_\_\_\_\_ (date), the date on which the Summons, Complaint, and Answer were filed, I/we mailed a copy of the Summons/Alias Summons, a copy of the Complaint, and Answer form by postage prepaid, first class mail, to \_\_\_\_\_, the Defendant(s) at the following address(es):  
\_\_\_\_\_.

\_\_\_\_\_  
Plaintiff(s)/Agent for Plaintiff(s)

**Section 13-40-111 Colorado Revised Statutes, as amended.**

**13-40-111. Issuance and return of summons.**

(1) Upon filing the complaint as provided in §13-40-110, C.R.S., the clerk of the court or the attorney for the plaintiff shall issue a summons. The summons shall command the Defendant to appear before the Court at a place named in such summons and at a time and on a day which shall be not less than seven days nor more than fourteen days from the day of issuing the same to answer the complaint of Plaintiff. The summons shall also contain a statement addressed to the Defendant stating: "If you fail to file with the Court, at or before the time for appearance specified in the summons, an answer to the complaint setting forth the grounds upon which you base your claim or possession and denying or admitting all of the material allegations of the complaint, judgment by default may be taken against you for the possession of the property described in the complaint, for the rent, if any, due or to become due, for present and future damages and costs, and for any other relief to which the Plaintiff is entitled". If you are claiming that the landlord's failure to repair the residential premises is a defense to the landlord's allegation of nonpayment of rent, the Court will require you to pay into the registry of the Court, at the time of filing your answer, the rent due less any expenses you have incurred based upon the landlord's failure to repair the residential premises.

**13-40-112. Service.**

- (1) Such summons may be served by personal service as in any civil action. A copy of the complaint must be served with the summons.
- (2) If personal service cannot be had upon the Defendant by a person qualified under the Colorado Rules of Civil Procedure to serve process, after having made diligent effort to make such personal service, such person may make service by posting a copy of the summons and the complaint in some conspicuous place upon the premises. In addition thereto, the Plaintiff shall mail, no later than the next day following the day on which he/she files the complaint, a copy of the summons, or, in the event that an alias summons is issued, a copy of the alias summons, and a copy of the complaint to the Defendant at the premises by postage prepaid, first class mail.
- (3) Personal service or service by posting shall be made at least seven days before the day for appearance specified in such summons, and the time and manner of such service shall be endorsed upon such summons by the person making service thereof.



**Form 7.**  
**PATTERN INTERROGATORIES**  
**UNDER C.R.C.P. 369(g) - INDIVIDUAL**

<div>County Court _____ County, Colorado</div> <div>Court Address: _____</div> <div style="height: 20px;"></div> <div>Plaintiff(s)/Petitioner(s):</div> <div>v.</div> <div>Defendant(s)/Respondent(s):</div>	<div style="text-align: center; font-weight: bold;">▲ COURT USE ONLY ▲</div> <div>Case Number:</div> <div style="height: 20px;"></div> <div>Division                      Courtroom</div>
<div>Attorney or Party Without Attorney (Name and Address):</div> <div style="height: 40px;"></div> <div>Phone Number:                      E-mail:</div> <div>FAX Number:                      Atty. Reg. #:</div>	<div>Case Number:</div> <div style="height: 40px;"></div> <div>Division                      Courtroom</div>
<b>PATTERN INTERROGATORIES UNDER C.R.C.P. 369(g) - INDIVIDUAL</b>	

The following Pattern Interrogatories are propounded to \_\_\_\_\_ (name of Judgment Debtor) pursuant to C.R.C.P. 369(g).

**Answer all of the questions and each and every part thereof fully and completely. Your answers must be filed with the Court and a copy mailed to the sender no later than 14 days after you receive them. Use a separate sheet of paper, if necessary. Do not use Post Office boxes for any address provided in your answers unless you request and receive permission from the Court.**

1. State your home address, business address, home phone, business phone, and date of birth:  

Home address: \_\_\_\_\_

Business address: \_\_\_\_\_

Home phone: \_\_\_\_\_ Business phone: \_\_\_\_\_

Date of Birth: \_\_\_\_\_
  
2. If you are employed, state the name, address, and phone number of your employer(s). If more than one employer show additional employers on a separate sheet of paper.  

Name of Employer: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_
  
3. If you have any income from any source other than your employer (for example, rental income, commissions, stock dividends, interest), state the name, address, phone number, amount of income, and dates of payment of the person or business paying you the income.  

Name of Payor: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Amount of Payments: \_\_\_\_\_ Dates of Payments: \_\_\_\_\_

Name of Payor: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Amount of Payments: \_\_\_\_\_ Dates of Payments: \_\_\_\_\_

4. If you are not employed or have other sources of income, state all sources of money you use to pay your living expenses, including the name, address, telephone number, and amounts. Show additional sources on a separate sheet of paper, if necessary:

Name of Payor: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Amount of Payments: \$ \_\_\_\_\_ Dates of Payments: \_\_\_\_\_

Name of Payor: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Amount of Payments: \$ \_\_\_\_\_ Dates of Payments: \_\_\_\_\_

5. State whether you own or rent the home you live in, including the amount of rent or house payments you make:

☐ Rent \_\_\_\_\_ (monthly rent payment)

☐ Own \_\_\_\_\_ (monthly house payment)

Name(s) of Owner(s): \_\_\_\_\_

6. State the name, address, account number and type of account for every financial institution (bank, savings and loan, credit union, brokerage house) where you have an account or where you have signature authority on the account. Provide additional information on a separate sheet of paper, if necessary.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Account: \_\_\_\_\_ Account Number (last 4-digits): \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Account: \_\_\_\_\_ Account Number (last 4-digits): \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Account: \_\_\_\_\_ Account Number (last 4-digits): \_\_\_\_\_

7. If you own or owned during the last four years, or regularly use any automobiles, motorcycles, trucks, RV's, ATV's, Jet skis, boats, or trailers, list the make, model, year, VIN, date of purchase, purchase price, name of owner if only used by you. If you no longer own the vehicle, identify date of sale, sale price, and name and address of purchaser. Provide additional information on a separate sheet of paper, if necessary.

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_ VIN: \_\_\_\_\_

Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_

Sale Date: \_\_\_\_\_ Price: \_\_\_\_\_ Purchaser: \_\_\_\_\_

Address of Purchaser: \_\_\_\_\_

Owner if not you: \_\_\_\_\_

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_ VIN: \_\_\_\_\_  
 Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_  
 Sale Date: \_\_\_\_\_ Price: \_\_\_\_\_ Purchaser: \_\_\_\_\_  
 Address of Purchaser: \_\_\_\_\_  
 Owner if not you: \_\_\_\_\_

8. If you own or owned during the last four years, or use any firearms, list the make, model, serial number, date of purchase, purchase price. If you no longer own the firearm, identify date of sale, sale price, and name and address of purchaser. Provide additional information on a separate sheet of paper, if necessary.

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Serial Number: \_\_\_\_\_  
 Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_  
 Sale Date: \_\_\_\_\_ Price: \_\_\_\_\_ Purchaser: \_\_\_\_\_  
 Address of Purchaser: \_\_\_\_\_  
 Owner if not you: \_\_\_\_\_

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Serial Number: \_\_\_\_\_  
 Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_  
 Sale Date: \_\_\_\_\_ Price: \_\_\_\_\_ Purchaser: \_\_\_\_\_  
 Address of Purchaser: \_\_\_\_\_  
 Owner if not you: \_\_\_\_\_

9. If you own or owned during the last four years, or regularly use any personal property NOT DESCRIBED ABOVE for which the purchase price was \$500.00 or more, describe each item by make, model, date of purchase, purchase price, name of owner if only used by you. If you no longer own the item, identify date of sale, sale price, and name and address of purchaser. Provide additional information on a separate sheet of paper, if necessary.

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_  
 Sale Date: \_\_\_\_\_ Price: \_\_\_\_\_ Purchaser: \_\_\_\_\_  
 Address of Purchaser: \_\_\_\_\_  
 Owner if not you: \_\_\_\_\_

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_  
 Sale Date: \_\_\_\_\_ Price: \_\_\_\_\_ Purchaser: \_\_\_\_\_  
 Address of Purchaser: \_\_\_\_\_  
 Owner if not you: \_\_\_\_\_

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_  
 Sale Date: \_\_\_\_\_ Price: \_\_\_\_\_ Purchaser: \_\_\_\_\_  
 Address of Purchaser: \_\_\_\_\_  
 Owner if not you: \_\_\_\_\_

10. State the name, address, and telephone number of your spouse, if you are married and if not, a close relative not living with you, indicating their relationship to you.

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

11. Produce and attach to your answers, copies of the following documents for the last four years:

- a. Your federal and state tax returns with all attachments.
- b. The deed to or the lease for your home.
- c. Your driver's license.
- d. Your last pay stub from your employer(s).
- e. Your last bank statement(s).

12. If you wish to propose an arrangement to pay the judgment, state the proposed terms:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**If you are self-employed, you must also answer the following questions.**

13. What is the full name, address, and phone number of the business?

Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Address: \_\_\_\_\_

14. What does your business do? \_\_\_\_\_

15. On a separate sheet of paper, list the name, address and phone number of each business customer during the past three months, including the amount and reason for any money owed, if any.

16. State the name, address, account number and type of account for every financial institution (bank, savings and loan, credit union, brokerage house) where the business has an account. Provide additional information on a separate sheet of paper, if necessary.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Account: \_\_\_\_\_ Account Number (last 4-digits): \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Account: \_\_\_\_\_ Account Number (last 4-digits): \_\_\_\_\_

17. If the business owns or owned during the last four years, or regularly uses, any personal property for which it paid \$500.00 or more, describe each item by make, model, date of purchase, purchase price, name of owner if only used by you. If the business no longer owns the item, identify date of sale, sale price, and name and address of purchaser. Provide additional information on a separate sheet of paper, if necessary.



Make: \_\_\_\_\_ Model: \_\_\_\_\_ Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_  
 Sale Date: \_\_\_\_\_ Price: \_\_\_\_\_ Purchaser: \_\_\_\_\_  
 Address of Purchaser: \_\_\_\_\_  
 Owner if not you: \_\_\_\_\_

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_  
 Sale Date: \_\_\_\_\_ Price: \_\_\_\_\_ Purchaser: \_\_\_\_\_  
 Address of Purchaser: \_\_\_\_\_  
 Owner if not you: \_\_\_\_\_

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_  
 Sale Date: \_\_\_\_\_ Price: \_\_\_\_\_ Purchaser: \_\_\_\_\_  
 Address of Purchaser: \_\_\_\_\_  
 Owner if not you: \_\_\_\_\_

**18. Produce and attach to your answers, copies of the following documents for the business:**

- a. All bank records for the past three months.
- b. All payroll records for the past three months.
- c. Current list of the accounts receivable.
- d. Profit and Loss Statements for the current and prior year.
- e. Current asset list, including the inventory.

**Failure to respond fully, accurately and timely to these interrogatories could result in a citation for contempt of court.**

I do hereby affirm under penalty of perjury that I have read each of the above questions and answered them fully and truthfully.

Dated: \_\_\_\_\_ Judgment Debtor \_\_\_\_\_

Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_ Notary Public /Deputy Clerk \_\_\_\_\_

**CERTIFICATE OF SERVICE BY MAILING**

(To be performed by Clerk within three days of filing)

I hereby certify that on \_\_\_\_\_ (date), I mailed a true and complete copy of the *PATTERN INTERROGATORIES UNDER C.R.C.P. 369(g) - INDIVIDUAL* by placing them in the United States Mail, postage pre-paid to the Defendant at the address listed below.

To: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 Clerk of Court/Deputy Clerk

☐ (If applicable) Plaintiff notified of non-service on \_\_\_\_\_ (date). Clerk's Initials \_\_\_\_\_



Form 7A.  
PATTERN INTERROGATORIES  
UNDER C.R.C.P. 369(g) - BUSINESS

County Court _____ County, Colorado Court Address: _____		▲ COURT USE ONLY ▲
Plaintiff(s)/Petitioner(s): v. Defendant(s)/Respondent(s):		
Attorney or Party Without Attorney (Name and Address):		
Phone Number: _____ FAX Number: _____	E-mail: _____ Atty. Reg. #: _____	Case Number: _____  Division _____ Courtroom _____
PATTERN INTERROGATORIES UNDER C.R.C.P. 369(g) - BUSINESS		

The following Pattern Interrogatories are propounded to \_\_\_\_\_ (name of Judgment Debtor) pursuant to C.R.C.P. 369(g).

Answer all of the questions and each and every part thereof fully and completely. Your answers must be filed with the Court and a copy mailed to the sender no later than 14 days after you receive them. Use a separate sheet of paper, if necessary. Do not use Post Office boxes for any address provided in your answers unless you request and receive permission from the Court.

1. State the name, business address , home address, business phone, home phone, and date of birth of the person answering these questions, and the relationship to the Business:

Name: \_\_\_\_\_  
Home address: \_\_\_\_\_  
Business address: \_\_\_\_\_  
Home phone: \_\_\_\_\_ Business phone: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_

2. If the Business is a corporation, list the name, home address, business address, home phone, business phone, and date of birth and the title of each officer, director and shareholder owning 5% or more of the outstanding shares.

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Home address: \_\_\_\_\_  
Business address: \_\_\_\_\_  
Home phone: \_\_\_\_\_ Business phone: \_\_\_\_\_  
  
Name: \_\_\_\_\_ Title: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Home address: \_\_\_\_\_  
Business address: \_\_\_\_\_  
Home phone: \_\_\_\_\_ Business phone: \_\_\_\_\_

3. If the Business is not a corporation, state the form of entity (sole proprietorship, partnership, limited liability company, or otherwise) and list the name, homes address, business address, home phone, business phone, and date of birth and the title of each owner, general or limited partner, or member owning 5% or more of the Business.

Type of entity: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Home address: \_\_\_\_\_

Business address: \_\_\_\_\_

Home phone: \_\_\_\_\_ Business phone: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Home address: \_\_\_\_\_

Business address: \_\_\_\_\_

Home phone: \_\_\_\_\_ Business phone: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Home address: \_\_\_\_\_

Business address: \_\_\_\_\_

Home phone: \_\_\_\_\_ Business phone: \_\_\_\_\_

4. Provide the EIN and/or Federal Tax Id Number of the Business.

EIN: \_\_\_\_\_ Federal Tax Id: \_\_\_\_\_

5. List by year, make, model, purchase price, VIN, loan balance, if any, and current location of any and all cars, trucks, motorcycles, boats, trailers, and other motor vehicles owned, used by or titled in the Business during the last four years. If the property is not owned by the Business, list the name and address of the owner. If the property has been transferred to another person or entity, list the name, address and telephone number of the transferee, the date of transfer, and the amount paid by transferee.

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_ VIN: \_\_\_\_\_

Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_ Loan Balance, if any: \_\_\_\_\_

Current Location: \_\_\_\_\_

Name of Owner if not you: \_\_\_\_\_

Address of Owner: \_\_\_\_\_

Name of Person Property Transferred to: \_\_\_\_\_

Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_ VIN: \_\_\_\_\_

Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_ Loan Balance, if any: \_\_\_\_\_

Current Location: \_\_\_\_\_

Name of Owner if not you: \_\_\_\_\_

Address of Owner: \_\_\_\_\_

Name of Person Property Transferred to: \_\_\_\_\_

Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

6. List each and every financial institution, including banks, savings and loan associations, credit unions, brokerage houses, or otherwise, where the Business is named on an account or has signature authority, including the name, address and telephone number of the institution, the account number, and the current balance of each account.

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Account: \_\_\_\_\_ Current Balance: \_\_\_\_\_ Account Number (last 4-digits): \_\_\_\_\_

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Account: \_\_\_\_\_ Current Balance: \_\_\_\_\_ Account Number (last 4-digits): \_\_\_\_\_

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Type of Account: \_\_\_\_\_ Current Balance: \_\_\_\_\_ Account Number (last 4-digits): \_\_\_\_\_

7. List any and all real or personal property owned by the Business during the last four years, or in which the Business has an interest, where the purchase price or present value exceeds \$500.00, including a detailed description, purchase price, current value, amount of any loan balance against the property, and the location including the county. If the property has been transferred to another person or entity, list the name, address and telephone number of the transferee, the date of transfer, and the amount paid by transferee.

Description of Property: \_\_\_\_\_

Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_ Current Value: \_\_\_\_\_

Loan Balance: \_\_\_\_\_ Location (including the County): \_\_\_\_\_

Transfer Date: \_\_\_\_\_ Price Paid: \_\_\_\_\_ Name: \_\_\_\_\_

Address of Purchaser: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Description of Property: \_\_\_\_\_

Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_ Current Value: \_\_\_\_\_

Loan Balance: \_\_\_\_\_ Location (including the County): \_\_\_\_\_

Transfer Date: \_\_\_\_\_ Price Paid: \_\_\_\_\_ Name: \_\_\_\_\_

Address of Purchaser: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Description of Property: \_\_\_\_\_

Purchase Date: \_\_\_\_\_ Price: \_\_\_\_\_ Current Value: \_\_\_\_\_

Loan Balance: \_\_\_\_\_ Location (including the County): \_\_\_\_\_

Transfer Date: \_\_\_\_\_ Price Paid: \_\_\_\_\_ Name: \_\_\_\_\_

Address of Purchaser: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

8. If the Business owns any property which is leased to another person or entity, identify the property and provide the lessee's name, address, and phone number, the term of the lease, the amount of lease payments, and the dates that the payments are due.

Type of Property: \_\_\_\_\_ Lessee's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Term of Lease: \_\_\_\_\_

Lease Payment Amount: \_\_\_\_\_ Payment Due Dates: \_\_\_\_\_

Type of Property: \_\_\_\_\_ Lessee's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Term of Lease: \_\_\_\_\_

Lease Payment Amount: \_\_\_\_\_ Payment Due Dates: \_\_\_\_\_

9. List every person or entity which owes money to the Business in excess of \$500.00, including the name, address and phone number, the amount owed, if payments are due, the amount and dates they are due, and the reason the moneys are owed.

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_ Amount Owed: \_\_\_\_\_

Address: \_\_\_\_\_

Payment Amount: \_\_\_\_\_ Payment Due Dates: \_\_\_\_\_

Reason(s) the moneys are owed: \_\_\_\_\_

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_ Amount Owed: \_\_\_\_\_

Address: \_\_\_\_\_

Payment Amount: \_\_\_\_\_ Payment Due Dates: \_\_\_\_\_

Reason(s) the moneys are owed: \_\_\_\_\_

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_ Amount Owed: \_\_\_\_\_

Address: \_\_\_\_\_

Payment Amount: \_\_\_\_\_ Payment Due Dates: \_\_\_\_\_

Reason(s) the moneys are owed: \_\_\_\_\_

10. List every person or entity currently using the services or products of the Business averaging more than \$100.00 per month, including the address and phone number, the amount billed or purchased each month, and the billing dates.

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Amount Billed or Purchased each Month: \_\_\_\_\_ Billing Dates: \_\_\_\_\_

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Amount Billed or Purchased each Month: \_\_\_\_\_ Billing Dates: \_\_\_\_\_

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_

Amount Billed or Purchased each Month: \_\_\_\_\_ Billing Dates: \_\_\_\_\_



**11. Produce and attach to your answers, copies of the following documents for the last four years:**

- a. For corporations, the articles of incorporation, bylaws, and corporate minutes.
- b. For partnerships, the partnership agreement.
- c. For limited liability companies, the articles of organization and operating agreement.
- d. For all entities, annual:
  - i. Federal and state tax returns.
  - ii. Profit and loss statements.
  - iii. Balance sheets.
  - iv. Inventory lists.

**12. If the Business wishes to propose an arrangement to pay the judgment, state the proposed terms.**

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**If the Business is no longer in business, answer the following questions:****13. State the date and exact reasons the Business went out of business.**

Date: \_\_\_\_\_

Reason(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_**14. If the Business disposed of any of its assets when it went out of business, describe each item which was disposed of, the name, address and telephone number of the person or entity which took possession of the item, any amounts paid for the item, and the reason for the disposition.**

Description: \_\_\_\_\_ Amount Paid: \_\_\_\_\_  
Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
Address: \_\_\_\_\_  
Reason for Disposition: \_\_\_\_\_

Description: \_\_\_\_\_ Amount Paid: \_\_\_\_\_  
Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
Address: \_\_\_\_\_  
Reason for Disposition: \_\_\_\_\_

**15. If the Business has any remaining assets, describe each item, including the current value, location and amount of the loan against that item, if any.**Description: \_\_\_\_\_  
Location: \_\_\_\_\_ Current Value: \_\_\_\_\_ Loan Balance: \_\_\_\_\_Description: \_\_\_\_\_  
Location: \_\_\_\_\_ Current Value: \_\_\_\_\_ Loan Balance: \_\_\_\_\_Description: \_\_\_\_\_  
Location: \_\_\_\_\_ Current Value: \_\_\_\_\_ Loan Balance: \_\_\_\_\_



16. If the Business is in receivership or a trustee has been appointed, provide the name, address and phone number of the receiver or trustee.

Name: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

Address: \_\_\_\_\_

17. If there are any documents associated with the Business going out of business (e.g., bill of sale, deed in lieu of foreclosure, articles of dissolution), produce and attach them to your answers.

**Failure to respond fully, accurately and timely to these interrogatories could result in a citation for contempt of court.**

I do hereby affirm under penalty of perjury that I have read each of the above questions and answered them fully and truthfully.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judgment Debtor

Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public /Deputy Clerk

**CERTIFICATE OF SERVICE BY MAILING**  
(To be performed by Clerk within three days of filing)

I hereby certify that on \_\_\_\_\_ (date), I mailed a true and complete copy of the *PATTERN INTERROGATORIES UNDER C.R.C.P. 369(g) - BUSINESS* by placing them in the United States Mail, postage pre-paid to the Defendant at the address listed below.

To: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Clerk of Court/Deputy Clerk

Form 9.  
DISCLOSURE STATEMENT

County Court _____ County, Colorado Court Address: _____  Plaintiff(s): _____ v. _____ Defendant(s): _____		▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): _____  Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____		
		Case Number: _____  Division _____ Courtroom _____
DISCLOSURE STATEMENT		

IF YOU ARE SENDING THIS FORM TO AN OPPOSING PARTY, IT MUST BE ACCOMPANIED BY YOUR OWN COMPLETED FORM LISTING YOUR WITNESSES AND EXHIBITS AND ATTACHING COPIES OF YOUR DOCUMENTS AND PICTURES

DO NOT FILE YOUR DISCLOSURE STATEMENT WITH THE COURT UNLESS TOLD BY THE COURT TO DO SO.

PART 1. THIS PART TO BE COMPLETED BY THE PARTY WHO SENDS THIS FORM.  
PRINT OR TYPE THIS INFORMATION:

This form is sent to you by:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Address of Clerk of the Court: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PART 2. THIS PART TO BE COMPLETED BY THE PARTY WHO RECEIVES THIS FORM.  
PRINT OR TYPE YOUR ANSWERS.

WARNING: YOU MUST COMPLETE THIS PART, SIGN IT AND SEND A COPY WITH COPIES OF THE DOCUMENTS AND PICTURES TO THE PERSON SHOWN IN PART 1 WITHIN 21 DAYS BUT NO LESS THAN 7 DAYS BEFORE THE TRIAL DATE. IF YOU DO NOT SEND IT, YOU MAY NOT BE ALLOWED TO CALL WITNESSES OR USE EXHIBITS AT TRIAL.

A. Give the name, address and telephone number and a brief description of the testimony of each witness you intend to call at the trial.

1. \_\_\_\_\_

Brief Description of Testimony: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

2. \_\_\_\_\_

Brief Description of Testimony:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. \_\_\_\_\_

Brief Description of Testimony:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. List every document, picture or item you may use at the trial. Describe and attach a photocopy of each document or picture listed to the copy sent to the person shown in Part 1.  
(Use the back of this form if necessary):

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

I certify I served (mailed or delivered) a copy of this Statement with attached photocopies of documents/pictures on \_\_\_\_\_ (date) to:

Name of opposing party or attorney: \_\_\_\_\_

Address: \_\_\_\_\_

Signature: \_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Title (if applicable): \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

**\*KEEP A COPY OF YOUR COMPLETED DISCLOSURE STATEMENT AND ITS ATTACHMENTS FOR YOURSELF.**

**\*DO NOT FILE YOUR DISCLOSURE STATEMENT WITH THE COURT UNLESS TOLD BY THE COURT TO DO SO.**



APPENDIX TO CHAPTER 26

**The Colorado  
Rules of Procedure  
for  
Small Claims Courts**



THE UNIVERSITY OF CHICAGO

The University  
Index of Periodicals  
for  
Small College Groups

# APPENDIX TO CHAPTER 26

## SMALL CLAIMS COURTS FORMS

(Forms in this Appendix are available online at  
<http://www.courts.state.co.us/Forms/Index.cfm>).

### SPECIAL FORM INDEX

JDF-250	Notice, Claim and Summons to Appear for Trial (four parts)
JDF-252A	Motion and Order for Interrogatories — Short Form
JDF-252B	Motion and Order for Interrogatories — Long Form (Replaces JDF-252)
JDF-253	Request to Set Aside Dismissal/Default Judgment (Replaces JDF-253A and JDF-253B)

# 60. NUCLEONIC ACID ANALYSIS

## NUCLEOTIDE ANALYSIS

1. *Adenosine* (C<sub>10</sub>H<sub>12</sub>N<sub>5</sub>O<sub>6</sub>)

2. *Adenine* (C<sub>5</sub>H<sub>5</sub>N<sub>5</sub>)

3. *Adenine* (C<sub>5</sub>H<sub>5</sub>N<sub>5</sub>)

4. *Adenine* (C<sub>5</sub>H<sub>5</sub>N<sub>5</sub>)

5. *Adenine* (C<sub>5</sub>H<sub>5</sub>N<sub>5</sub>)

6. *Adenine* (C<sub>5</sub>H<sub>5</sub>N<sub>5</sub>)

10.00

10.00

10.00

10.00

1

10.00

10.00

1

Small Claims Court _____ County, Colorado Court Address: _____  <b>PLAINTIFF(S):</b> _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ Cell _____ v. <b>DEFENDANT(1):</b> _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ Cell _____ <b>DEFENDANT(2):</b> _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ Cell _____	<div style="border: 1px solid black; padding: 10px; margin: 10px auto; width: 80%;"> <div style="display: flex; justify-content: space-between; align-items: center;"> <span>▲</span> <span><b>COURT USE ONLY</b></span> <span>▲</span> </div> <div style="margin-top: 20px;"> <p>Case Number: _____</p> <p style="font-size: 2em; font-weight: bold; margin: 20px 0;">S</p> <p>Division _____ Courtroom _____</p> </div> </div>
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NOTICE, CLAIM AND SUMMONS TO APPEAR FOR TRIAL (Part 1)

If Defendant(s) is/are other than a person, go on-line at [www.sos.state.co.us](http://www.sos.state.co.us) to determine the registered agent for service of this notice. Please enter name and address of the agent. Name: \_\_\_\_\_  
 Address: \_\_\_\_\_

1. The Defendant(s) is/are in the military service: ☐ Yes ☐ No ☐ Unknown
2. The Defendant(s) reside(s), is/are regularly employed, has/have an office for the transaction of business, or is/are a student in this county, or the Defendant(s) own(s) the real property in this county that is the subject of this claim arising from a restrictive covenant or security deposit dispute. ☐ Yes ☐ No
3. I/We understand that it is my/our responsibility to have each Defendant served with the "Defendant's Copy" of this Notice by a person whose age is 18 years or older and who is not a party to this action 15 days prior to the trial and to provide the Court with written proof of service. ☐ Yes ☐ No
4. I am an attorney: ☐ Yes ☐ No

#### Notice and Summons to Appear for Trial

##### To the Defendant(s):

You are scheduled to have your trial in this case on \_\_\_\_\_ (date) at \_\_\_\_\_ (time) at the Court address stated in the above caption. Bring with you all books, papers and witnesses you need to establish your defense. **If you do not appear, judgment may be entered against you.** If you wish to defend the claim or present a counterclaim, you must provide a written response or written counterclaim on or before the scheduled trial date and pay a **nonrefundable** filing fee.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Clerk of Court/Deputy Clerk

##### Plaintiff(s)'s Claim (Please summarize reasons to support your claim below.)

The Defendant(s) owe(s) me \$ \_\_\_\_\_, which includes penalties, plus interest and costs allowed by law, and/or should be ordered to return property, perform a contract or set aside a contract or comply with a restrictive covenant for the following reasons. (If seeking return of property, please describe the property being requested).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Note: The combined value of money, property, specific performance or cost to remedy a covenant violation cannot exceed \$7,500.00.** Plaintiff(s) declare under penalty of perjury that the above statements are true and correct, and that I/we have not filed in any Small Claims Court in this County more than 2 claims during this calendar month, nor more than 18 claims in this County this calendar year.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff's Signature

\_\_\_\_\_  
Plaintiff's Signature

Small Claims Court _____ County, Colorado Court Address: _____	
<b>PLAINTIFF(S):</b> _____	
Address: _____	
City/State/Zip: _____	
Phone: Home _____ Work _____ Cell _____	
v.	
<b>DEFENDANT(1):</b> _____	
Address: _____	
City/State/Zip: _____	
Phone: Home _____ Work _____ Cell _____	
<b>DEFENDANT(2):</b> _____	
Address: _____	
City/State/Zip: _____	
Phone: Home _____ Work _____ Cell _____	
<div>▲ <b>COURT USE ONLY</b> ▲ Case Number: _____  <b>S</b>  Division _____ Courtroom _____</div>	
<b>NOTICE, CLAIM AND SUMMONS TO APPEAR FOR TRIAL (Part 2)</b>	

If Defendant(s) is/are other than a person, go on-line at [www.sos.state.co.us](http://www.sos.state.co.us) to determine the registered agent for service of this notice. Please enter name and address of the agent. Name: \_\_\_\_\_  
Address: \_\_\_\_\_

1. The Defendant(s) is/are in the military service: ☐Yes ☐No ☐Unknown
2. The Defendant(s) reside(s), is/are regularly employed, has/have an office for the transaction of business, or is/are a student in this county, or the Defendant(s) own(s) the real property in this county that is the subject of this claim arising from a restrictive covenant or security deposit dispute. ☐Yes ☐No
3. I/We understand that it is my/our responsibility to have each Defendant served with the "Defendant's Copy" of this Notice by a person whose age is 18 years or older and who is not a party to this action 15 days prior to the trial and to provide the Court with written proof of service. ☐Yes ☐No
4. I am an attorney: ☐Yes ☐No

<b>Notice and Summons to Appear for Trial</b>	
<b>To the Defendant(s):</b> You are scheduled to have your trial in this case on _____ (date) at _____ (time) at the Court address stated in the above caption. Bring with you all books, papers and witnesses you need to establish your defense. <b>If you do not appear, judgment may be entered against you.</b> If you wish to defend the claim or present a counterclaim, you must provide a written response or written counterclaim on or before the scheduled trial date and pay a <b>nonrefundable</b> filing fee.	
Dated: _____	Clerk of Court/Deputy Clerk _____

**Plaintiff(s)'s Claim (Please summarize reasons to support your claim below.)**  
The Defendant(s) owe(s) me \$ \_\_\_\_\_, which includes penalties, plus interest and costs allowed by law, and/or should be ordered to return property, perform a contract or set aside a contract or comply with a restrictive covenant for the following reasons. (If seeking return of property, please describe the property being requested).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Note:** The combined value of money, property, specific performance or cost to remedy a covenant violation cannot exceed \$7,500.00. Plaintiff(s) declare under penalty of perjury that the above statements are true and correct, and that I/we have not filed in any Small Claims Court in this County more than 2 claims during this calendar month, nor more than 18 claims in this County in this calendar year.

Dated: \_\_\_\_\_

Plaintiff's Signature \_\_\_\_\_  
  
Plaintiff's Signature \_\_\_\_\_





Small Claims Court _____ County, Colorado Court Address: _____  <b>PLAINTIFF(S):</b> _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ Cell _____ v. <b>DEFENDANT(1):</b> _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ Cell _____ <b>DEFENDANT(2):</b> _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ Cell _____		<div>▲ <b>COURT USE ONLY</b> ▲</div> <div>Case Number: _____</div> <div><b>S</b></div> <div>Division _____ Courtroom _____</div>
<b>NOTICE, CLAIM AND SUMMONS TO APPEAR FOR TRIAL (Part 3)</b>		

If Defendant(s) is/are other than a person, go on-line at [www.sos.state.co.us](http://www.sos.state.co.us) to determine the registered agent for service of this notice. Please enter name and address of the agent. Name: \_\_\_\_\_  
Address: \_\_\_\_\_

- 1. The Defendant(s) is/are in the military service: ☐Yes ☐No ☐Unknown
- 2. The Defendant(s) reside(s), is/are regularly employed, has/have an office for the transaction of business, or is/are a student in this county, or the Defendant(s) own(s) the real property in this county that is the subject of this claim arising from a restrictive covenant or security deposit dispute. ☐Yes ☐No
- 3. I/We understand that it is my/our responsibility to have each Defendant served with the "Defendant's Copy" of this Notice by a person whose age is 18 years or older and who is not a party to this action 15 days prior to the trial and to provide the Court with written proof of service. ☐Yes ☐No
- 4. I am an attorney: ☐Yes ☐No

<b>Notice and Summons to Appear for Trial</b>	
To the Defendant(s): You are scheduled to have your trial in this case on (date) _____ (time) _____ at the Court address stated in the above caption. Bring with you all books, papers and witnesses you need to establish your defense. <b>If you do not appear, judgment may be entered against you.</b> If you wish to defend the claim or present a counterclaim, you must provide a written response or written counterclaim on or before the scheduled trial date and pay a <b>nonrefundable</b> filing fee.	
Dated: _____	Clerk of Court/Deputy Clerk _____

**Plaintiff(s)'s Claim (Please summarize reasons to support your claim below.)**  
The Defendant(s) owe(s) me \$ \_\_\_\_\_, which includes penalties, plus interest and costs allowed by law, and/or should be ordered to return property, perform a contract or set aside a contract or comply with a restrictive covenant for the following reasons. (If seeking return of property, please describe the property being requested).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Note:** The combined value of money, property, specific performance or cost to remedy a covenant violation cannot exceed **\$7,500.00**.  
Plaintiff(s) declare under penalty of perjury that the above statements are true and correct, and that I/we have not filed in any Small Claims Court in this County more than 2 claims during this calendar month, nor more than 18 claims in this County in this calendar year.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff's Signature

\_\_\_\_\_  
Plaintiff's Signature

**INFORMATION FOR PLAINTIFFS IN SMALL CLAIMS CASES****A. FILING.** You may file your claim in this Court if:

1. Your claim is for money, property, specific performance or rescission of a contract, or enforcement of a restrictive covenant that does not exceed \$7,500.00. You may reduce a larger claim and waive the balance. You cannot divide a claim and file two separate cases.
2. At least one of the parties you sue resides, is regularly employed, has an office for the transaction of business, or is a student in this county, or they own rental property in the county that is the subject of this claim.
3. You pay the clerk one of the following **NONREFUNDABLE** filing fees.

◆ Claim \$500.00 or less:	<b>\$28.00</b>
◆ Claim over \$500.00 but less than \$7,500.00:	<b>\$45.00</b>

**B. SERVICE.** This notice to appear must be served at least 15 days prior to the trial on each Defendant. It may be served by:

1. Any person whose age is 18 years or older and who is not a party to this action.
2. Sheriff or process server.
3. Certified Mail that is mailed by the clerk. You must deposit the cost for certified mail in advance.

**C. SETTLEMENT.** If you settle your claim before trial, you must notify the Small Claims Court and Defendant in writing.**D. SUBPOENAS.** Upon your request, the clerk will issue a subpoena to require witnesses to appear or bring documents for your trial. It is your responsibility to complete the information needed on the subpoena and to have the subpoena served. Subpoenas must be served personally and may be served by a person over the age of 18 that is not a party to the case. Subpoenas must be accompanied by a check for payment of witness fees and mileage for any witnesses served.**E. TRIAL RESPONSIBILITY.** You have a right to a trial. Bring all evidence necessary to prove your case: books, papers, repair bills, photographs or other exhibits. Be on time. If you are late or do not appear, the Court may enter judgment in favor of the Defendant and against you if the Defendant filed a counterclaim.**F. APPEAL.** If you wish to appeal, you must file your appeal within 21 days of the judgment and proceed according to C.R.C.P. 411.**G. JUDGMENT. THE COURT DOES NOT COLLECT ANY JUDGMENT**, but will help with the necessary forms.

**Money Judgment.** If judgment is entered in favor of the Defendant and against you, you are expected to immediately pay the judgment, including filing fees and court costs. If the judgment is not paid immediately, you must answer questions about your assets and income and the other party can obtain a writ of garnishment or execution against your wages or property. Once the judgment is paid, you are entitled to have the judgment satisfied.

**Non-monetary Judgment.** If the Court orders immediate possession of the property, performance of a contract, setting aside of a contract or compliance with a restrictive covenant, failure to comply with the Court order may result in an award of damages and or being held in contempt.

**H. CASE INQUIRIES.** When inquiring about this case, refer to the case number on the other side of this document. Direct all inquiries to the clerk, not the judge or magistrate.**I. ATTORNEY.** If the Defendant(s) want(s) to be represented by an attorney, the Defendant(s) or attorney must file a Notice of Representation of Attorney (JDF 256) at least 7 days before the trial date on this notice. Then, you may have representation by an attorney. If either party is an attorney, the other party may be represented by an attorney without filing a notice of representation. Even if there are attorneys in the case, the rules and procedures of the Small Claims Court will still apply.**J. JUDICIAL OFFICER.** A magistrate or judge may hear your case. If you want a judge to hear your case, you must file an Objection to a Magistrate Hearing Case (JDF 259) at least 7 days before the trial date set in this notice. The rules and procedures of the Small Claims Court will still apply.**K. Language Interpreter.** If you or a witness requires a language interpreter to be present for hearings, you must contact the Managing Interpreter corresponding to the district in which the case will be heard at least 7 days before the trial date is set on this notice. A language interpreter may only interpret what is said between parties during a hearing and immediately prior to or after the hearing. A language interpreter may not provide legal advice or any other service that is not related to interpreting. Interpreters may not provide any services that may constitute a violation of the language interpreter's Code of Professional Responsibility. A current list of Managing Interpreters can be viewed at:  
[http://www.courts.state.co.us/Administration/Custom.cfm?Unit=interp&Page\\_ID=117](http://www.courts.state.co.us/Administration/Custom.cfm?Unit=interp&Page_ID=117).



Small Claims Court _____ County, Colorado Court Address: _____		<div>▲ COURT USE ONLY ▲</div> <div>Case Number: _____</div> <div><b>S</b></div> <div>Division _____ Courtroom _____</div>
<b>PLAINTIFF(S):</b> _____		
Address: _____		
City/State/Zip: _____		
Phone: Home _____ Work _____ Cell _____		
v.		
<b>DEFENDANT(1):</b> _____		
Address: _____		
City/State/Zip: _____		
Phone: Home _____ Work _____ Cell _____		
<b>DEFENDANT(2):</b> _____		
Address: _____		
City/State/Zip: _____		
Phone: Home _____ Work _____ Cell _____		
<b>NOTICE, CLAIM AND SUMMONS TO APPEAR FOR TRIAL (Part 4)</b>		

If Defendant(s) is/are other than a person, go on-line at [www.sos.state.co.us](http://www.sos.state.co.us) to determine the registered agent for service of this notice. Please enter name and address of the agent. Name: \_\_\_\_\_  
Address: \_\_\_\_\_

- 1. The Defendant(s) is/are in the military service: ☐Yes ☐No ☐Unknown
- 2. The Defendant(s) reside(s), is/are regularly employed, has/have an office for the transaction of business, or is/are a student in this county, or the Defendant(s) own(s) the real property in this county that is the subject of this claim arising from a restrictive covenant or security deposit dispute. ☐Yes ☐No
- 3. I/We understand that it is my/our responsibility to have each Defendant served with the "Defendant's Copy" of this Notice by a person whose age is 18 years or older and who is not a party to this action 15 days prior to the trial and to provide the Court with written proof of service. ☐Yes ☐No
- 4. I am an attorney: ☐Yes ☐No

<b>Notice and Summons to Appear for Trial</b>	
To the Defendant(s): You are scheduled to have your trial in this case on (date) _____ (time) _____ at the Court address stated in the above caption. Bring with you all books, papers and witnesses you need to establish your defense. <b>If you do not appear, judgment may be entered against you.</b> If you wish to defend the claim or present a counterclaim, you must provide a written response or written counterclaim on or before the scheduled trial date and pay a <b>nonrefundable</b> filing fee.	
Dated: _____	Clerk of Court/Deputy Clerk _____

**Plaintiff(s)'s Claim (Please summarize reasons to support your claim below.)**  
The Defendant(s) owe(s) me \$ \_\_\_\_\_, which includes penalties, plus interest and costs allowed by law, and/or should be ordered to return property, perform a contract or set aside a contract or comply with a restrictive covenant for the following reasons. (If seeking return of property, please describe the property being requested).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Note: The combined value of money, property, specific performance or cost to remedy a covenant violation cannot exceed \$7,500.00**  
Plaintiff(s) declare under penalty of perjury that the above statements are true and correct, and that I/we have not filed in any Small Claims Court in this County more than 2 claims during this calendar month, nor more than 18 claims in this County in this calendar year.  
Dated: \_\_\_\_\_

\_\_\_\_\_  
Plaintiff's Signature  
  
\_\_\_\_\_  
Plaintiff's Signature

Case Name \_\_\_\_\_ v. \_\_\_\_\_

Case Number: \_\_\_\_\_

**AFFIDAVIT OF SERVICE**  
(Must be returned to Court)

I declare under oath that I am 18 years or older and not a party to the action, and that I served the **Notice, Claim, and Summons to Appear for Trial (JDF 250)** on the following:

Name of Person Served

Date and Time of Service

Address of Service  
(Street, County, City, State)

- Check type of Service:**
- ☐ By handing the documents to a person identified to me as the Defendant.
  - ☐ By identifying the documents, offering to deliver them to a person identified to me as the Defendant who refused service, and then leaving the documents in a conspicuous place.
  - ☐ By leaving the documents at the Defendant's usual place of abode with \_\_\_\_\_ (Name of Person) who is a member of the Defendant's family and whose age is 18 years or older. (Identify family relationship) \_\_\_\_\_.)
  - ☐ By leaving the documents at the Defendant's usual workplace with \_\_\_\_\_ (Name of Person) who is the Defendant's secretary, administrative assistant, bookkeeper, or managing agent. (Circle title of person served.)
  - ☐ By leaving the documents with \_\_\_\_\_ (Name of Person), who as \_\_\_\_\_ (title) is authorized by appointment or by law to receive service of process for the Defendant.
  - ☐ By leaving the documents with an officer, partner, manager, stockholder, elected official or functional equivalent pursuant to C.R.C.P. 304 \_\_\_\_\_ (please identify) of the corporation or non-corporate entity which was to be served. (Circle title of person who was served.)
  - ☐ By serving the documents as follows (other service under C.R.C.P. 304: \_\_\_\_\_.

I have charged the following fees for my services in this matter:

☐ Private process server

☐ Sheriff, \_\_\_\_\_ County  
Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_

Signature of Process Server \_\_\_\_\_

Name (Print or type) \_\_\_\_\_

Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

Notary Public \_\_\_\_\_

**CERTIFICATE OF SERVICE BY MAILING**  
(To be performed by Clerk within three days of filing)

I hereby certify that on \_\_\_\_\_ (date), I mailed a true and correct copy of the **NOTICE, CLAIM, AND SUMMONS TO APPEAR FOR TRIAL**, by placing it in the United States Mail, postage pre-paid to the Defendant(s) at the address(es) listed above.

\_\_\_\_\_  
Clerk of Court/Deputy Clerk

☐ (If applicable) Plaintiff(s) notified of non-service on (date) \_\_\_\_\_. Clerk's Initials \_\_\_\_\_



Small Claims Court _____ County, Colorado Court Address: _____  <b>PLAINTIFF(S):</b> _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ v. <b>DEFENDANT(S):</b> _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____	<div style="text-align: center; font-weight: bold;">▲ COURT USE ONLY ▲</div> Case Number: _____  Division _____ Courtroom _____
<b>MOTION AND ORDER FOR INTERROGATORIES – SHORT FORM</b>	

**MOTION**

Judgment was entered on: (date) \_\_\_\_\_.

Against the: ☐ Plaintiff ☐ Defendant By: ☐ Default ☐ After trial

The judgment remains unsatisfied. Pursuant to Rule 518(a), C.R.C.P., the ☐ judgment creditor requests or the ☐ Court finds that the judgment debtor should be required to answer the following interrogatories.

Date: \_\_\_\_\_

Judgment Creditor's Signature \_\_\_\_\_

**ORDER**

☐ Pursuant to Rule 518(a), at the request of the judgment creditor or on the Court's review of the above Motion IT IS ORDERED:

- ☐ That the judgment debtor shall answer the following questions and file the answers with the Court ☐ immediately ☐ within 14 days after service of these interrogatories upon the judgment debtor, or in lieu thereof, pay the judgment in full. or
- ☐ That the judgment debtor answer the questions and appear in Court at \_\_\_\_\_ (date) at \_\_\_\_\_ (time).

**FAILURE TO TRUTHFULLY AND COMPLETELY ANSWER ALL OF THESE QUESTIONS AND RETURN THEM WITHIN 14 DAYS TO THE CLERK OF THE COURT, SMALL CLAIMS COURT, SHALL CAUSE A CITATION TO BE ISSUED FOR CONTEMPT OF COURT. A FINDING OF CONTEMPT BY THE COURT MAY RESULT IN A FINE OR JAIL SENTENCE.**

Date: \_\_\_\_\_

☐ Judge ☐ Magistrate**INTERROGATORIES**

1. What is your full legal name: \_\_\_\_\_  
 List any other names you have been known by: \_\_\_\_\_  
 Home address: \_\_\_\_\_  
 Home phone number: \_\_\_\_\_ Work phone number: \_\_\_\_\_  
 Date of birth: \_\_\_\_\_ Social Security Number: \_\_\_\_\_  
 Drivers license number: \_\_\_\_\_ State: \_\_\_\_\_
2. As to your employment, complete the following:  
 The employer's/company's name: \_\_\_\_\_  
 Address of employer: \_\_\_\_\_  
 Phone number: \_\_\_\_\_ Supervisor's name: \_\_\_\_\_  
 You are paid: ☐ hourly \$ \_\_\_\_\_ ☐ monthly \$ \_\_\_\_\_ or ☐ your annual rate of pay you earn \$ \_\_\_\_\_  
☐ you are paid commissions, the manner in which commissions are calculated are: \_\_\_\_\_

The days or days of the month on which you are paid: \_\_\_\_\_

3. As to your bank accounts, complete the following: List the name and address and account number of every bank, saving and loan, credit union or other financial institution holding any funds which you have deposited or which you are allowed to withdraw without obtaining another person's signature.

Name of Bank, Savings & Loan/Credit Union	Address/Location City/State	Account Number
Name of Bank, Savings & Loan/Credit Union	Address/Location City/State	Account Number
Name of Bank, Savings & Loan/Credit Union	Address/Location City/State	Account Number
Name of Bank, Savings & Loan/Credit Union	Address/Location City/State	Account Number

4. State the full and correct address of all real estate you own or have an interest in:

Address	City/County State
Address	City/County State
Address	City/County State

5. As to debts owed to you, complete the following. List the name and address of every person who owes you money and the amount owed to you:

Name	Address City/State	\$	Amount owed
Name	Address City/State	\$	Amount owed
Name	Address City/State	\$	Amount owed

6. As to insurance coverage, complete the following: List the name and address of any insurance company, including policy numbers with agent's name providing liability coverage.

Name of Insurance Company – Name of Agent	Address/Location City/State	Policy Number
Name of Insurance Company – Name of Agent	Address/Location City/State	Policy Number
Name of Insurance Company – Name of Agent	Address/Location City/State	Policy Number

UNDER PENALTIES OF PERJURY, I DECLARE THAT THESE STATEMENTS ARE TRUE AND CORRECT.

Date: \_\_\_\_\_  
Judgment Debtor's Signature \_\_\_\_\_

Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.  
My Commission Expires: \_\_\_\_\_  
Notary Public/Clerk of the Court/Deputy Clerk \_\_\_\_\_

Case Name \_\_\_\_\_ v. \_\_\_\_\_ Case Number: \_\_\_\_\_

**AFFIDAVIT OF SERVICE**  
**(Must be returned to Court)**

I served a copy of the foregoing Interrogatories, on the following:

Name	Date	Place
------	------	-------

- If the person on whom service was made is not the named party to be served, I served the Interrogatories:
- ☐ At the regular place of abode of the person to be served, by leaving the Notice with a person over the age of 18 years who regularly resides at the place of abode. (Identify relationship to defendant \_\_\_\_\_)
  - ☐ At the regular place of business of the person to be served, by leaving the Notice with that person's secretary, bookkeeper, chief clerk, office receptionist/assistant or partner. (Circle title of person that was served).
  - ☐ By leaving the Notice with a partner, limited partner, associate, manager, elected office, receptionist/assistant, bookkeeper or general agent of the partnership. Limited Liability Company, or other non-corporate entity, which was to be served. (Circle title of person that was served).
  - ☐ By leaving the Notice with an officer, manager, receptionist/assistant, legal assistant, paid legal advisor or general agent, registered agent for service of process, stockholder or principal employee of the corporation, which was to be served. (Circle title of person that was served).

I am over the age of 18 years, and I am not an interested party in this matter.

I have charged the following fees for my services in this matter:

- ☐ Private process server \_\_\_\_\_
  - ☐ Sheriff, \_\_\_\_\_ County \_\_\_\_\_  
Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_
- Signature of Process Server \_\_\_\_\_  
Name (Print or type) \_\_\_\_\_

Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

My commission expires: \_\_\_\_\_  
Notary Public \_\_\_\_\_

**CERTIFICATE OF SERVICE BY MAILING**  
**(To be performed by Clerk within three days of filing)**

I hereby certify that on (date) \_\_\_\_\_, I mailed a true and correct copy of the MOTION AND ORDER FOR INTERROGATORIES – SHORT FORM, by placing it in the United States Mail, postage pre-paid to the Defendant(s) at the address(es) listed above.

Dated: \_\_\_\_\_  
Clerk of Court/Deputy Clerk \_\_\_\_\_

☐ (If applicable) Plaintiff notified of non-service on (date) \_\_\_\_\_. Clerk's Initials \_\_\_\_\_

Small Claims Court _____ County, Colorado Court Address: _____  <b>PLAINTIFF(S):</b> _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ v. <b>DEFENDANT(S):</b> _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____	<div style="text-align: center;"><b>COURT USE ONLY</b></div> Case Number: _____  Division _____ Courtroom _____
<b>MOTION AND ORDER FOR INTERROGATORIES – LONG FORM</b>	

The judgment creditor, \_\_\_\_\_, requests this Court to issue an order requiring the judgment debtor, \_\_\_\_\_, to appear and answer completely all of the INTERROGATORIES attached within 14 days after receipt, because:

- 1. On (date) \_\_\_\_\_, judgment was entered in favor of the \_\_\_\_\_ and against the \_\_\_\_\_ in the amount of \$ \_\_\_\_\_, with court costs in the amount of \$ \_\_\_\_\_, for a total award of \$ \_\_\_\_\_;
- 2. There remains due on this judgment the amount of \$ \_\_\_\_\_, interest to date of \$ \_\_\_\_\_, additional costs of \$ \_\_\_\_\_, for a balance of \$ \_\_\_\_\_;
- 3. Execution may presently issue on this judgment; and
- 4. Pursuant to C.R.C.P. 517 and 518, the judgment creditor is entitled to an order requiring the judgment debtor to appear and answer these interrogatories concerning the debtor's financial condition.

Dated: \_\_\_\_\_ Judgment Creditor \_\_\_\_\_  
Subscribed under oath before me on: \_\_\_\_\_  
Dated: \_\_\_\_\_ Clerk/Deputy \_\_\_\_\_

**IT IS ORDERED:**

- 1. That the judgment debtor, \_\_\_\_\_, APPEAR and ANSWER completely all of the INTERROGATORIES attached, pursuant to C.R.C.P. 517 and 518.
- 2. That these INTERROGATORIES be signed by the judgment debtor in full legal name, under penalty of perjury, in the presence of a notary public or clerk of court.
- 3. That these INTERROGATORIES be filed with the Clerk, and that the judgment debtor appear on (date) \_\_\_\_\_ (time) \_\_\_\_\_ at (location) \_\_\_\_\_.
- 4. That service of these INTERROGATORIES and this order be made by mailing copies to the judgment debtor, by certified mail, or as provided by C.R.C.P. 304.

Dated: \_\_\_\_\_  

☐ Judge    ☐ Magistrate

I certify that a copy of this form and interrogatories were mailed to the judgment debtor on:

Dated: \_\_\_\_\_  
Clerk/Deputy \_\_\_\_\_



INTERROGATORIES TO JUDGMENT DEBTOR

Name of Judgment Debtor: \_\_\_\_\_ THESE INTERROGATORIES MUST BE COMPLETELY ANSWERED AND FILED WITH THE CLERK OF THE \_\_\_\_\_ COUNTY COURT AT THE ADDRESS STATED ON PAGE 1 OF THIS FORM ON (date) \_\_\_\_\_ (time) \_\_\_\_\_. YOU MUST APPEAR ON THIS DATE.

**WARNING:** FAILURE TO TRUTHFULLY AND COMPLETELY ANSWER ALL OF THESE QUESTIONS AND RETURN THEM WITHIN 14 DAYS TO THE CLERK OF COUNTY COURT, SMALL CLAIMS DIVISION, SHALL CAUSE A CITATION TO BE ISSUED FOR CONTEMPT OF COURT. A FINDING OF CONTEMPT MAY BE CAUSE FOR A FINE OR JAIL SENTENCE.

**NOTE:** YOU MAY PAY \$ \_\_\_\_\_ (THE AMOUNT OF THE JUDGMENT TOGETHER WITH ANY INTEREST AND COSTS) TO THE CLERK OF THE COURT WITHIN 14 DAYS INSTEAD OF ANSWERING THESE QUESTIONS. IF YOU MAKE THE PAYMENT, THIS CASE WILL BE CLOSED.

1. What is your full legal name: \_\_\_\_\_  
List any other names you have been known by: \_\_\_\_\_  
Home address: \_\_\_\_\_  
Home phone number: \_\_\_\_\_ Work phone number: \_\_\_\_\_  
Date of birth: \_\_\_\_\_ Social Security Number: \_\_\_\_\_  
Drivers license number: \_\_\_\_\_ State: \_\_\_\_\_

2. State your full and correct business address: \_\_\_\_\_  
a. Do you rent or own the premises? \_\_\_\_\_  
b. State the full and correct name and address of your landlord. \_\_\_\_\_  
c. On what day of the month do you pay your rent? \_\_\_\_\_  
d. What is the amount of the deposit with your landlord? \_\_\_\_\_

3. State your full and correct home address: \_\_\_\_\_  
a. Do you own or rent the premises? \_\_\_\_\_  
b. State the full and correct name and address of your landlord. \_\_\_\_\_  
c. On what day of the month do you pay your rent? \_\_\_\_\_  
d. What is the amount of the deposit with your landlord? \_\_\_\_\_

4. State the full and correct address of all real estate you own or have an interest in.  
Address \_\_\_\_\_ City/County State \_\_\_\_\_  
Address \_\_\_\_\_ City/County State \_\_\_\_\_  
Address \_\_\_\_\_ City/County State \_\_\_\_\_  
Address \_\_\_\_\_ City/County State \_\_\_\_\_

5. State the book and page number and other recording numbers of the deed or other instruments of such property.  
Book page number of deed \_\_\_\_\_  
Book page number of deed \_\_\_\_\_

6. Are there any liens, mortgages, or encumbrances against any of the property referred to in No. 4? If so, give the full and correct name and address of the creditor of, and balance due on each.

Name _____	Address City/State _____	\$ _____
		Amount owed
Name _____	Address City/State _____	\$ _____
		Amount owed
Name _____	Address City/State _____	\$ _____
		Amount owed



7. Employment information:  
The employer's/company's name: \_\_\_\_\_  
Address of employer: \_\_\_\_\_  
Phone number: \_\_\_\_\_ Supervisor's name: \_\_\_\_\_  
You are paid: ☐ hourly \$ \_\_\_\_\_ ☐ monthly \$ \_\_\_\_\_ ☐ or your annual rate of pay you earn \$ \_\_\_\_\_  
☐ you are paid commissions, the manner in which commissions are calculated are: \_\_\_\_\_  
The days or days of the month on which you are paid: \_\_\_\_\_

8. If self-employed, do you own or have any interest in any inventory, supplies, machinery, equipment, or tools? If so, list each of them and whether they are paid for. If you owe money for any item, indicate how much for each item.

Type of Item	Paid YES or NO	If No Amount owed
Type of Item	Paid YES or NO	If No Amount owed
Type of Item	Paid YES or NO	If No Amount owed
Type of Item	Paid YES or NO	If No Amount owed

9. List the full and correct name and address of all banks and savings institutions you have:

Name of Banks Savings & Loan/Credit Union	Address/Location City/State	Account Number
Name of Banks Savings & Loan/Credit Union	Address/Location City/State	Account Number
Name of Banks Savings & Loan/Credit Union	Address/Location City/State	Account Number

10. Do you have any life, health, or other insurance with a cash surrender value or from which money is or will be due to you? If so, state the name and number of the policy and full and correct name and address of the insuring company.

Name of Insurance Company – Name of Agent	Address/Location City/State	Policy Number
Name of Insurance Company – Name of Agent	Address/Location City/State	Policy Number

11. Have you received any money judgments from any court within the past 12 months? If so, state the nature of the action court location, case number, amount received and date judgment entered.

Nature of Action	Court Location	Case Number	Amount of Judgment	Date Ordered
Nature of Action	Court Location	Case Number	Amount of Judgment	Date Ordered
Nature of Action	Court Location	Case Number	Amount of Judgment	Date Ordered

12. Are you entitled to any refund on either or both of your last federal or state income tax returns?

- a. If so, what is the amount of the refund on each? \_\_\_\_\_  
b. Have you received any of this money as of this date? \_\_\_\_\_

13. State the description, amount, and location of any and all stocks, bonds, U.S. Savings Bonds, debentures, or other securities which you own or in which you have an interest.

Type of Stock/Bond/Us Saving Bond	Location	\$	Amount
Type of Stock/Bond/Us Saving Bond	Location	\$	Amount
Type of Stock/Bond/Us Saving Bond	Location	\$	Amount
Type of Stock/Bond/Us Saving Bond	Location	\$	Amount

14. State the amount and location of any cash you have on hand.

Location of Cash	\$	Amount
------------------	----	--------



22. What is the amount of your deposit with any telephone company? \_\_\_\_\_
23. For a period of one full year prior to the commencement of this legal action against you until the present, have you or your agents or employees, if any, closed out any savings, commercial, or other financial account which was in your name, individually or together with other people or business, in any bank or other financial institution? If so, for each of such closed accounts, state:
- The full and correct name and address of the bank or institution(s). \_\_\_\_\_
  - The names on the account(s). \_\_\_\_\_
  - The account number(s). \_\_\_\_\_
  - The date on which the account(s) was/were opened. \_\_\_\_\_
  - The date on which the account(s) was/were closed. \_\_\_\_\_
24. Supply a copy of your last federal income tax return.

I affirm/swear under the penalty of perjury that the above answers to these INTERROGATORIES are true, complete, and correct.

**FALSE STATEMENT ARE PUNISHABLE AS PERJURY WHICH IS A FELONY.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Judgment Debtor

Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public /Deputy Clerk

Case Name \_\_\_\_\_ v. \_\_\_\_\_

Case Number: \_\_\_\_\_

AFFIDAVIT OF SERVICE

(Must be returned to Court)

I served a copy of the foregoing Interrogatories, on the following:

Name	Date	Place
------	------	-------

- If the person on whom service was made is not the named party to be served, I served the Interrogatories:
- ☐ At the regular place of abode of the person to be served, by leaving the Notice with a person over the age of 18 years who regularly resides at the place of abode. (Identify relationship to defendant \_\_\_\_\_)
- ☐ At the regular place of business of the person to be served, by leaving the Notice with that person's secretary, bookkeeper, chief clerk, office receptionist/assistant or partner. (Circle title of person that was served).
- ☐ By leaving the Notice with a partner, limited partner, associate, manager, elected office, receptionist/assistant, bookkeeper or general agent of the partnership. Limited Liability Company, or other non-corporate entity, which was to be served. (Circle title of person that was served).
- ☐ By leaving the Notice with an officer, manager, receptionist/assistant, legal assistant, paid legal advisor or general agent, registered agent for service of process, stockholder or principal employee of the corporation, which was to be served. (Circle title of person that was served).

I am over the age of 18 years, and I am not an interested party in this matter.

I have charged the following fees for my services in this matter:

☐ Private process server

☐ Sheriff, \_\_\_\_\_ County

Fee \$ \_\_\_\_\_ Mileage \$ \_\_\_\_\_

Signature of Process Server \_\_\_\_\_

Name (Print or type) \_\_\_\_\_

Subscribed and affirmed, or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

My commission expires: \_\_\_\_\_

Notary Public \_\_\_\_\_

CERTIFICATE OF SERVICE BY MAILING

(To be performed by Clerk within three days of filing)

I hereby certify that on (date) \_\_\_\_\_, I mailed a true and correct copy of the MOTION AND ORDER FOR INTERROGATORIES – LONG FORM, by placing it in the United States Mail, postage pre-paid to the Defendant(s) at the address(es) listed above.

Dated: \_\_\_\_\_

Clerk of Court/Deputy Clerk \_\_\_\_\_

☐ (If applicable) Plaintiff notified of non-service on (date) \_\_\_\_\_ Clerk's Initials \_\_\_\_\_



Small Claims Court _____ County, Colorado Court Address: _____  <b>PLAINTIFF(S):</b> _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____ v. <b>DEFENDANT(S):</b> _____ Address: _____ City/State/Zip: _____ Phone: Home _____ Work _____	<div style="text-align: center;"><b>▲ COURT USE ONLY ▲</b></div> <div>Case Number: _____</div> <div>Division _____ Courtroom _____</div>
<b>REQUEST TO SET ASIDE   <input type="checkbox"/> DISMISSAL   <input type="checkbox"/> DEFAULT JUDGMENT</b>	

Under penalties of perjury, I declare that these statements are true and correct.

1. I/We \_\_\_\_\_, am the ☐ Plaintiff(s) ☐ Defendant(s) in above captioned case.
2. My claim against the ☐ Plaintiff(s) ☐ Defendant(s) was/were dismissed on \_\_\_\_\_ (date).  

OR

The ☐ Plaintiff(s) ☐ Defendant(s) Judgment was/were entered against me on \_\_\_\_\_ (date).
3. I/We did not appear in Court on the ☐ date of the trial or the ☐ date of the entry of judgment because:  
\_\_\_\_\_  
\_\_\_\_\_
4. I/We believe I/We can provide the following facts to prove my/our case or to establish my/our defense: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

**ORDER**

The Court upon review of Request to Set Aside ☐ Dismissal ☐ Default Judgment, ORDERS the following:

☐ Request **DENIED**   ☐ Request **GRANTED**

☐ Request to be heard by the Court on \_\_\_\_\_ (date).

If after the request is heard and the Court finds that the request for dismissal/default judgment should be set aside, the Court

☐ will proceed immediately to trial at the conclusion of the hearing.

☐ will re-schedule the trial for another date.

**The parties are advised to bring with them on the said date all evidence and witnesses necessary for the Court Trial.**

Date: \_\_\_\_\_

☐ Judge   ☐ Magistrate

**CERTIFICATE OF MAILING**

I hereby certify that on (date) \_\_\_\_\_, I mailed a true and correct copy of the REQUEST TO SET ASIDE DISMISSAL/DEFAULT JUDGMENT, by placing it in the United States Mail, postage pre-paid to the parties at the addresses listed above.

Clerk of the Court/Deputy Clerk \_\_\_\_\_





APPENDIX A TO CHAPTER 27

**The Colorado  
Rules of  
Probate Procedure**

THE UNIVERSITY OF CHICAGO

The University  
of Chicago  
Press

# APPENDIX A TO CHAPTER 27

## COLORADO PROBATE CODE FORMS

(Forms in this Appendix are available from the Colorado courts web page at <http://www.courts.state.co.us/Forms/Index.cfm>.)

### SPECIAL FORM INDEX

JDF 703	Petition for Transfer of Lodged Will (Replaces CPC 9-A)
JDF 711	Notice of Hearing (Replaces CPC 2)
JDF 712	Notice of Non-Appearence Hearing (Replaces CPC 2-N)
JDF 713	Notice to Unborn, Unascertained, Minor or Incapacitated Persons (Replaces CPC 4)
JDF 719	Waiver of Notice (Replaces CPC 8)
JDF 722	Objection: To Non-Appearence Hearing
JDF 732	Trust Registration Statement (Replaces CPC 38)
JDF 735	Amended Trust Registration Statement (Replaces CPC 38-A)
JDF 806	Notice of Hearing to Interested Persons (Replaces CPC 2-IP)
JDF 912	Renunciation and/or Nomination of Personal Representative (Replaces CPC 17-A)
JDF 941	Decedent's Estate Inventory (Replaces CPC 20)
JDF 944	Notice to Creditors by Mail or Delivery (Replaces CPC 21-B)
JDF 948	Petition for the Determination of Heirs or Devisees or Both, and of Interests in Property (Replaces CPC 56)
JDF 962	Notice of Hearing on Petition for Final Settlement (Replaces CPC 24-N)
JDF 963	Notice of Non-Appearence Hearing on Petition for Final Settlement (Replaces CPC 24-NA)
JDF 999	Collection of Personal Property by Affidavit (Replaces CPC 40)

# THE UNIVERSITY OF CHICAGO

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500 EAST 57TH STREET, CHICAGO, ILL. 60637

### ACQUISITIONS DEPARTMENT

1. <i>Journal of the American Medical Association</i>	1970-1971
2. <i>Annals of the New York Academy of Sciences</i>	1970-1971
3. <i>Proceedings of the National Academy of Sciences</i>	1970-1971
4. <i>Science</i>	1970-1971
5. <i>Nature</i>	1970-1971
6. <i>Physical Review Letters</i>	1970-1971
7. <i>Journal of the Chemical Physics</i>	1970-1971
8. <i>Journal of Biological Chemistry</i>	1970-1971
9. <i>Journal of the Neurological Sciences</i>	1970-1971
10. <i>Journal of the American Chemical Society</i>	1970-1971
11. <i>Journal of the American Physical Society</i>	1970-1971
12. <i>Journal of the American Mathematical Society</i>	1970-1971
13. <i>Journal of the American Statistical Association</i>	1970-1971
14. <i>Journal of the American Economic Association</i>	1970-1971
15. <i>Journal of the American Political Science Association</i>	1970-1971
16. <i>Journal of the American Historical Association</i>	1970-1971
17. <i>Journal of the American Library Association</i>	1970-1971
18. <i>Journal of the American Music Association</i>	1970-1971
19. <i>Journal of the American Philosophical Association</i>	1970-1971
20. <i>Journal of the American Psychological Association</i>	1970-1971



<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: _____  <b>In the Matter of the Estate of:</b>  <b>Deceased</b> Attorney or Party Without Attorney (Name and Address): _____  Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	     <div style="text-align: center; border-top: 1px solid black; border-bottom: 1px solid black;"> <b>▲ COURT USE ONLY ▲</b> </div> Case Number: _____  Division _____ Courtroom _____
<b>PETITION FOR TRANSFER OF LODGED WILL PURSUANT TO §15-11-516(2), C.R.S.</b> All wills and all codicils are referred to as the Will.	

**The Petitioner makes the following statements:**

1. Petitioner \_\_\_\_\_ (name) is an interested person.
2. The original of an instrument purporting to be the Decedent's last Will has been lodged with this Court on \_\_\_\_\_ (date).
3. Venue is not proper in this Court.
4. The Decedent died on \_\_\_\_\_ (date).

**The Petitioner requests that the Will be transferred to the following Court for the following reason(s):**

Name of Court: \_\_\_\_\_ State: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_

- ☐ The Decedent's domicile or residence was located within the jurisdiction of the Court identified above.
- ☐ The Decedent's domicile or residence is not known and property of the Decedent was located within the jurisdiction of the Court identified above.
- ☐ Other: \_\_\_\_\_

**VERIFICATION**

I (Petitioner) verify that the facts set forth in this document are true as far as I know or am informed. I understand that penalties for perjury follow deliberate falsification of the facts stated herein. (§15-10-310, C.R.S.)

\_\_\_\_\_  
 Signature of Petitioner or Attorney for Petitioner    Date

\_\_\_\_\_  
 Address

\_\_\_\_\_  
 City, State, Zip Code

\_\_\_\_\_  
 Phone Number

**Note:** If the requested transfer is to a Court within this state, no notice is required. If the requested transfer is to a Court outside of Colorado, notice shall be given to the person nominated as personal representative and such other person as the Court may direct pursuant to Rule 23 of the Colorado Rules of Probate Procedure (C.R.P.P.).

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: _____		<b>▲ COURT USE ONLY ▲</b>
<input type="checkbox"/> In the Interest of: <input type="checkbox"/> In the Matter of the Estate of:		
Attorney or Party Without Attorney (Name and Address): _____		Case Number: _____
Phone Number: _____ FAX Number: _____	E-mail: _____ Atty. Reg. #: _____	Division _____ Courtroom _____
<b>NOTICE OF HEARING</b>		

**To All Interested Persons:**

A hearing on \_\_\_\_\_ (name of pleading) will be held at the following date, time and location:  
**Date:** \_\_\_\_\_ **Time:** \_\_\_\_\_ **Courtroom or Division:** \_\_\_\_\_  
**Address:** \_\_\_\_\_

The hearing will take approximately \_\_\_\_\_ ☐ days ☐ hours ☐ minutes.

Date: \_\_\_\_\_  
Signature of Person Giving Notice or Attorney for Person Giving Notice

**CERTIFICATE OF SERVICE**

I certify that on \_\_\_\_\_ (date) a copy of this Notice was served on each of the following:

Name of Person to Whom you are Sending this Document	Relationship	Address	Manner of Service*

\*Insert one of the following: Hand Delivery, First-Class Mail, Certified Mail, E-Served or Faxed.

The pleading identified above is attached to this Notice or was previously served on \_\_\_\_\_ (date).

Signature

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court County, Colorado Court Address:   <input type="checkbox"/> In the Interest of: <input type="checkbox"/> In the Matter of the Estate of:		▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address):  Phone Number: E-mail: FAX Number: Atty. Reg. #:		
Case Number:		Division Courtroom
NOTICE OF NON-APPEARANCE HEARING PURSUANT TO C.R.P.P. 8.8 ***** Attendance at this hearing is not required or expected. *****		

To All Interested Persons:

A non-appearance hearing on \_\_\_\_\_ (name of Motion/Petition and proposed Order) is set at the following date, time and location:

Date: \_\_\_\_\_ (Select a future date - No less than 14 days from service)

Time: 8:00 a.m.

Address: \_\_\_\_\_

Date: \_\_\_\_\_  
Signature of Person Giving Notice or Attorney for Person Giving Notice

\*\*\*\*\* IMPORTANT NOTICE\*\*\*\*\*

Any interested person wishing to object to the requested action set forth in the attached Motion/Petition and proposed Order must file a written objection with the Court on or before the hearing and must furnish a copy of the objection to the person requesting the court order. JDF 722 (Objection form) is available on the Colorado Judicial Branch website ([www.courts.state.co.us](http://www.courts.state.co.us)). If no objection is filed, the Court may take action on the Motion/Petition without further notice or hearing. If any objection is filed, the objecting party must, within 14 days after filing the objection, set the objection for an appearance hearing. Failure to timely set the objection for an appearance hearing as required shall result in the dismissal of the objection with prejudice without further hearing.

CERTIFICATE OF SERVICE

I certify that on \_\_\_\_\_ (date) a copy of this Notice along with the Motion/Petition and proposed Order identified above was served on each of the following:

Name of Person to Whom you are Sending this Document	Relationship	Address	Manner of Service*

\*Insert one of the following: Hand Delivery, First-Class Mail, Certified Mail, E-Served or Faxed.

\_\_\_\_\_  
Signature

**Note:** Do not set matters on the non-appearance docket, unless they are expected to be routine and unopposed.

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: _____		
<input type="checkbox"/> In the Interest of: <input type="checkbox"/> In the Matter of the Estate of:		▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): _____  Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg.#: _____		Case Number: _____  Division _____ Courtroom _____
<p align="center"><b>NOTICE TO UNBORN, UNASCERTAINED, MINOR OR INCAPACITATED PERSONS PURSUANT TO §15-10-403(4)(b), C.R.S.</b></p>		

To: List the names of persons having substantially identical interests to those of the unborn or unascertained persons pursuant to §15-10-403(4)(b), C.R.S.

Name	Interest

A hearing on \_\_\_\_\_ (name of pleading) ☐ a copy of which was previously sent on \_\_\_\_\_ (date) or ☐ a copy of which is attached, will be held at the following time and location or at a later date to which the hearing may be continued.

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Courtroom or Division: \_\_\_\_\_

Address: \_\_\_\_\_

The hearing will take approximately \_\_\_\_\_ ☐ days ☐ hours ☐ minutes.

Date: \_\_\_\_\_

Signature of Person Giving Notice or Attorney for Person Giving Notice

## CERTIFICATE OF SERVICE

I certify that on \_\_\_\_\_ (date) a copy of this Notice along with the pleading identified above was served on each of the following:

Name of Person to Whom you are Sending this Document	Relationship	Address	Manner of Service*

\*Insert one of the following: Hand Delivery, First-Class Mail, Certified Mail, E-Served or Faxed.

Signature \_\_\_\_\_

**Note:** This form cannot be used for notice of formal proceedings terminating an estate. JDF 962, with appropriate modifications, must be used.



<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: _____  <input type="checkbox"/> In the Interest of: <input type="checkbox"/> In the Matter of the Estate of: _____  Attorney or Party Without Attorney (Name and Address): _____  Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____	<div style="text-align: center; border-top: 1px solid black; border-bottom: 1px solid black;"> <b>▲ COURT USE ONLY ▲</b> </div> Case Number: _____  Division _____ Courtroom _____
<b>WAIVER OF NOTICE</b>	

I, \_\_\_\_\_ (name) being of full age, waive notice of the following hearings or other matters:

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Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Person Waiving Notice

(Type or print name, address and telephone # below)

\_\_\_\_\_  
Type or Print name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
Phone Number

Subscribed to and affirmed or sworn to before me in the County of \_\_\_\_\_, State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public/Clerk

**Note:**

- Unless otherwise approved by the Court, a waiver of notice shall identify the nature of the hearings or other matters, notice of which is waived pursuant to Rule 8.2 of Colorado Rules of Probate Procedure (C.R.P.P.)
- When filed with the Court, a copy of the Petition or other pleading need not be attached to this waiver.



<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: _____		▲ COURT USE ONLY ▲
<input type="checkbox"/> In the Interest of: <input type="checkbox"/> In the Matter of the Estate of:		
Attorney or Party Without Attorney (Name and Address): _____  Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____		Case Number: _____  Division _____ Courtroom _____
<b>OBJECTION: TO NON-APPEARANCE HEARING</b>		

I object to the requested action set forth in the motion or petition entitled \_\_\_\_\_, filed on \_\_\_\_\_ (date), which is set for a non-appearance hearing on \_\_\_\_\_ (date).

The grounds for my objection are as follows:

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In accordance with Colorado Rule of Probate Procedure 8.8, I will immediately furnish a copy of this **Objection** to the person who filed the motion or petition.

I understand that I must contact the Court to set this matter for an appearance hearing at a later date within 14 days after filing this **Objection**. If I fail to do so, I know that my **Objection** will be dismissed with prejudice. I will coordinate the hearing date with the other parties.

Date: \_\_\_\_\_

Signature

## CERTIFICATE OF SERVICE

I certify that on \_\_\_\_\_ (date) a copy of this Objection was served on each of the following:

Name of Person to Whom You are Sending this Document	Relationship	Address	Manner of Service*

**\*Insert one of the following: Hand Delivery, First-Class Mail, Certified Mail, E-Served or Faxed.**

Signature \_\_\_\_\_

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: _____  <b>In the Matter of the Trust created by:</b>  <b>Settlor</b> Attorney or Party Without Attorney (Name and Address): _____  Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg.#: _____	<div style="text-align: center; border-top: 1px solid black; border-bottom: 1px solid black;"> <b>▲ COURT USE ONLY ▲</b> </div> Case Number: _____ Registration Number: _____ Division _____ Courtroom _____
<b>TRUST REGISTRATION STATEMENT</b>	

<b>Important Notice</b>
<p>The Court will not routinely review or adjudicate matters unless it is specifically requested to do so by a beneficiary, creditor, or other interested person. All interested persons, including beneficiaries and creditors, have the responsibility to protect their own rights and interests in the estate or trust in the manner provided by the provisions of this code by filing an appropriate pleading with the Court by which the estate or trust is being administered and serving it on all interested persons pursuant to §15-10-401, C.R.S.</p>

1. **Information about the Trustee:**  
 Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 Email Address: \_\_\_\_\_ Work Phone #: \_\_\_\_\_
  
2. The records of this Trust are kept at the principal place of administration, which is in \_\_\_\_\_  
 \_\_\_\_\_ (City/County) at the following address:  
 \_\_\_\_\_
  
3. **This Trust**  
☐ has not been registered elsewhere.  
☐ has been registered previously on \_\_\_\_\_ (date) with the \_\_\_\_\_  
 (name of Court) in the State of \_\_\_\_\_ pursuant to §15-16-102(3), C.R.S.
  
4. **This is**  
☐ a Testamentary Trust established by the Will of \_\_\_\_\_

which Will was admitted to probate on \_\_\_\_\_ (date), in \_\_\_\_\_ (name of Court) in the State of \_\_\_\_\_ in case number: \_\_\_\_\_.

☐ an *Inter Vivos* Trust established by \_\_\_\_\_ (name of Settlor) dated \_\_\_\_\_.

5. The original Trustee is \_\_\_\_\_.

6. If multiple trusts are registered on this date, provide additional identifying information:  
\_\_\_\_\_

The undersigned trustee acknowledges the existence of this Trust and submits to the jurisdiction of this Court in any proceeding relating to this Trust. Within 30 days of registration, the Trustee represents that the Trustee shall comply with §15-16-303(2), C.R.S.

Date: \_\_\_\_\_ Signature of Trustee \_\_\_\_\_

**INFORMATION OF TRUST REGISTRATION**

It is not necessary that the Information portion of this form be completed on the copy of the Statement filed with the Court.

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

You are a beneficiary with a present interest or you represent a beneficiary with a future interest, in the Trust(s) described in the above Trust Registration Statement.

The name of the Trust(s) is/are: \_\_\_\_\_

Upon reasonable request, you are entitled to information about this Trust and its administration pursuant to §15-16-303, C.R.S.

Date: \_\_\_\_\_ Signature of Trustee \_\_\_\_\_

**Note:**

- ◆ File this Registration Statement in the County where the Trust is being administered pursuant to §15-16-101(1), C.R.S. For further requirements, see §15-11-901, C.R.S. and §15-16-101, C.R.S. and Colorado Rules of Probate Procedure Rule 8.6.
- ◆ The requirements of §15-16-303(2), C.R.S. may be satisfied by mailing a copy of this statement to entitled persons. See also §15-10-403, C.R.S.

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: _____  <b>In the Matter of the Trust Created by:</b> _____  <b>Settlor</b> _____ Attorney or Party Without Attorney (Name and Address): _____  Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg.#: _____		          <div style="text-align: center;">▲ <b>COURT USE ONLY</b> ▲</div> Case Number: _____  Division _____ Courtroom _____
<b>AMENDED TRUST REGISTRATION STATEMENT</b>		

## Important Notice

The Court will not routinely review or adjudicate matters unless it is specifically requested to do so by a beneficiary, creditor, or other interested person. All interested persons, including beneficiaries and creditors, have the responsibility to protect their own rights and interests in the estate or trust in the manner provided by the provisions of this code by filing an appropriate pleading with the Court by which the estate or trust is being administered and serving it on all interested persons pursuant to §15-10-401, C.R.S.

The following amendments to the previously filed Trust Registration Statement for this trust filed on \_\_\_\_\_  
\_\_\_\_\_ (date) are made:

☐ \_\_\_\_\_ (name of Trustee) is no longer a trustee. The Successor Trustee is:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Email Address: \_\_\_\_\_ Work Phone #: \_\_\_\_\_

☐ the principal place of administration has been changed to the following address:

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

☐ This Trust has terminated.

☐ The registration of this Trust is transferred to this Court from \_\_\_\_\_ (name of

Court) in the State of Colorado. This trust was previously registered under Registration No.\_\_\_\_\_. Attached is a court certified copy of the original Trust Registration Statement and any Amended Trust Registration Statement filed prior to this Amendment.



The undersigned Trustee/Successor Trustee acknowledges the existence of this Trust and submits to the jurisdiction of this Court in any proceeding relating to this Trust. Within 30 days of registration, the Trustee represents that the Trustee shall comply with §15-16-303(2), C.R.S.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Trustee/Successor Trustee

**INFORMATION OF TRUST REGISTRATION**

It is not necessary that the Information portion of this form be completed on the copy of the Statement filed with the Court.

To:

_____	_____
_____	_____
_____	_____
_____	_____

You are a beneficiary with a present interest or you represent a beneficiary with a future interest, in the Trust(s) described in the above Trust Registration Statement.

The name of the Trust(s) is/are: \_\_\_\_\_

Upon reasonable request, you are entitled to information about this Trust and its administration pursuant to §15-16-303, C.R.S.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Trustee

**Note:**

- ◆ The requirements of §15-16-303(2), C.R.S. may be satisfied by mailing a copy of this statement to entitled persons. See also §15-10-403, C.R.S.
- ◆ For further requirements, see §15-11-901, C.R.S. and §15-16-101, C.R.S. and Colorado Rules of Probate Procedure Rule 8.6.



<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court County, Colorado Court Address: _____		▲ COURT USE ONLY ▲
In the Interest of: _____		
Respondent		
Attorney or Party Without Attorney (Name and Address): _____		Case Number: _____
Phone Number: _____ E-mail: _____		Division _____ Courtroom _____
FAX Number: _____ Atty. Reg. #: _____		
NOTICE OF HEARING TO INTERESTED PERSONS		

To All Interested Persons:

A hearing on the Petition identified below will be held at the following date, time and location.

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Courtroom or Division: \_\_\_\_\_  
Address: \_\_\_\_\_

- ☐ Petition for Appointment of Guardian
- ☐ Adult ☐ Minor
- ☐ Petition for Appointment of Conservator
- ☐ Adult ☐ Minor
- ☐ Other: \_\_\_\_\_

The outcome of this proceeding may limit or completely take away the Respondent's right to make decisions about the Respondent's personal affairs or financial affairs or both. The Respondent must appear in person unless excused by the court. The Petitioner is required to make reasonable efforts to help the Respondent attend the hearing.

The Respondent has the right to be represented by an attorney of the Respondent's choice at the Respondent's expense. If the Respondent cannot afford an attorney, one may be appointed for the Respondent at State expense. The Respondent may request a professional evaluation. The Respondent has the right to present evidence and subpoena witnesses and documents; examine witnesses, including any court-appointed physician, psychologist, or other qualified individual providing evaluations, and the court visitor; and otherwise participate in the hearing. The Respondent may ask that the hearing be held in a manner that reasonably accommodates the Respondent. The Respondent has the right to request that the hearing be closed, but the hearing may not be closed over the Respondent's objection.

Date: \_\_\_\_\_  
Signature of Person Giving Notice or Attorney \_\_\_\_\_

CERTIFICATE OF SERVICE

I certify that on \_\_\_\_\_ (date) a copy of this Notice along with the Petition identified above was served on each of the following:

Name of Person to Whom you are Sending this Document	Relationship to Respondent	Address	Manner of Service*

\*Insert one of the following: Hand Delivery, First-Class Mail, Certified Mail, E-Served or Faxed.

Signature \_\_\_\_\_

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado Court Address: _____		<div>▲ COURT USE ONLY ▲</div>
In the Matter of the Estate of: _____		
Deceased Attorney or Party Without Attorney (Name and Address): _____		
Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____		Case Number: _____
		Division _____ Courtroom _____
<b>RENUNCIATION AND/OR NOMINATION OF PERSONAL REPRESENTATIVE</b>		

- I, \_\_\_\_\_ (name), make the following statements to this Court.
- ☐ I have priority for appointment as Personal Representative of this estate because I am nominated by the Decedent's Will or under a power conferred by the Will. I renounce my right to appointment.
  - ☐ I have priority for appointment as Personal Representative of this estate pursuant to paragraphs (b) to (e) of §15-12-203(1), C.R.S.\*
    - ☐ Having the right to nominate a qualified person to act as Personal Representative, I nominate \_\_\_\_\_.
    - ☐ I renounce my right to appointment.
  - ☐ I am between the age of 18 and 21 and would be entitled to appointment as Personal Representative but for my age.
    - ☐ Having the right to nominate a qualified person to act as Personal Representative, I nominate \_\_\_\_\_.
    - ☐ I renounce my right to nominate a Personal Representative.
  - ☐ Other: \_\_\_\_\_

VERIFICATION AND ACKNOWLEDGMENT

I verify that the facts set forth in this document are true as far as I know or am informed. I understand that penalties for perjury follow deliberate falsification of the facts stated herein. (§15-10-310, C.R.S.)

Signature _____	Date _____
Type or Print name _____	

---

Address

---

City, State, Zip Code

---

Phone Number

---

E-Mail Address

The foregoing instrument was acknowledged before me  
in the County of \_\_\_\_\_, State of Colorado,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by  
\_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

---

Notary Public/Deputy Clerk

**\*Note:** Persons with priority for appointment as Personal Representative who also have the right to nominate a Personal Representative are set forth §15-12-203(1), C.R.S. and have priority in the following order: (b) The surviving spouse of the Decedent who is a devisee of the Decedent; (c) other devisees of the Decedent; (d) the surviving spouse of the Decedent; (e) other heirs of the Decedent.

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado		
Court Address:		
In the Matter of the Estate of:		
Deceased		▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address):		Case Number:
Phone Number:	E-mail:	Division      Courtroom
FAX Number:	Atty. Reg. #:	
<b>DECEDENT'S ESTATE INVENTORY</b>		

Within three months after appointment, a Personal Representative shall prepare an Inventory of property owned by the Decedent that is subject to disposition by Will or intestate succession. The Inventory must list the property with reasonable detail, indicate the Decedent's interest in the property, and include the fair market value as of the Decedent's date of death. The type and amount of any liens and encumbrances on the property must also be listed. If additional property is discovered after the initial inventory has been completed, a supplemental inventory listing the newly discovered property shall be completed.

If additional space is needed, separate sheets may be used. The Inventory shall be sent to interested persons who request it or it may be filed with the Court.

INVENTORY SUMMARY		
Schedule	Asset Category	Value
1	Real Estate	
2	Stocks, Bonds, Mutual Funds, Securities and Investment Accounts	
3	Mortgage, Notes and Cash	
4	Life Insurance	
5	Pensions, Profit Sharing Plans, Annuities and Retirement Funds	
6	Motor and Recreation Vehicles	
7	Other Assets	
Total Gross Value		
8	Liens and Encumbrances on Inventoried Assets	
Total Net Value		



<b>Schedule 1 – Real Estate</b> (List complete addresses.) <input type="checkbox"/> None	<b>Type of Property</b> (Home, Rental, Land, etc.)	<b>Estimated Value</b> (what you could sell it for in its current condition)
		\$
<b>Total (also enter this total on the Inventory Summary on page 1)</b>		\$

<b>Schedule 2 – Stocks, Bonds, Mutual Funds, Securities and Investment Accounts</b> <input type="checkbox"/> None	<b>Number of Shares or Account Number</b> (last 4-digits only)	<b>Value</b>
		\$
<b>Total (also enter this total on the Inventory Summary on page 1)</b>		\$

<b>Schedule 3 – Mortgages, Notes and Cash</b> (Mortgages and notes payable to the Decedent, cash on hand, checking and savings accounts and certificates of deposit.) <input type="checkbox"/> None	<b>Type of Account</b>	<b>Account Number</b> (last 4-digits only)	<b>Balance</b>
			\$
<b>Total (also enter this total on the Inventory Summary on page 1)</b>			\$

<b>Schedule 4 – Life Insurance</b> (Include only those items payable to the estate.) <input type="checkbox"/> None	<b>Policy #</b> (last 4 digits)	<b>Net Proceeds Paid or Payable to Estate</b>
<b>Total (also enter this total on the Inventory Summary on page 1)</b>		\$



<b>Schedule 5 – Pensions, Profit Sharing Plans, Annuities and Retirement Funds</b> (Include only those items payable to the estate.) <input type="checkbox"/> None	<b>Type of Plan</b> (401(k), IRA, 457, PERA, Military, etc.)	<b>Account #</b> (last 4-digits only, if applicable)	<b>Value</b>
			\$
<b>Total (also enter this total on the Inventory Summary on page 1)</b>			\$

<b>Schedule 6 – Motor and Recreation Vehicles</b> (Including motorcycles, ATV's, boats, etc.) <input type="checkbox"/> None	<b>Year</b>	<b>Make and Model</b>	<b>Estimated Value</b> (what you could sell it for in its current condition)
			\$
<b>Total (also enter this total on the Inventory Summary on page 1)</b>			\$

<b>Schedule 7 – Other Assets</b> <input type="checkbox"/> None	<b>Estimated Value</b> (what you could sell it for in its current condition)
	\$
<b>Total (also enter this total on the Inventory Summary on page 1)</b>	\$
<b>Total Assets (also enter this total on the Inventory Summary on page 1)</b>	\$

Liens and Encumbrances on Inventoried Assets

If any asset listed in this Inventory has a secured associated debt, such as a mortgage or a car loan, indicate below.

Schedule 8 – Description of Liability/Debt	Name of Financial Institution	Account Number (last 4- digits only)	Balance
Mortgages			\$
Mortgages			
Motor Vehicle Loans			
Other Secured Debt			
Other Secured Debt			
Total Encumbrances on Inventoried Assets (also enter this total on the Inventory Summary on page 1)			\$

I state under penalty of perjury that this is a true and complete Inventory of this estate to the best of my knowledge, information and belief. I understand that this Inventory is subject to audit and verification.

Date: \_\_\_\_\_

Signature of Personal Representative

Address

City, State and Zip Code

CERTIFICATE OF SERVICE

The Inventory shall be sent to interested persons who request it or the original Inventory may be filed with the Court.

I certify that on \_\_\_\_\_ (date) a copy of this Inventory was served on each of the following:

Name of Person to Whom you are Sending this Document	Relationship to Decedent	Address	Manner of Service*

\*Insert one of the following: Hand Delivery, First-Class Mail, Certified Mail, E-Served or Faxed.

Signature

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court _____ County, Colorado			
Court Address:  			
In the Matter of the Estate of  			
Deceased		▲ COURT USE ONLY ▲	
Attorney or Party Without Attorney (Name and Address):  		Case Number:  	
Phone Number: _____	E-mail: _____		
FAX Number: _____	Atty. Reg. #: _____	Division _____	Courtroom _____
NOTICE TO CREDITORS BY MAIL OR DELIVERY PURSUANT TO §15-12-801, C.R.S.			

NOTICE TO CREDITORS

All persons having claims against the above-named estate are required to present them to the Personal Representative or to the Court identified above on or before \_\_\_\_\_ (date)\*, or the claims may be forever barred.

Date: \_\_\_\_\_

Signature of Personal Representative or Attorney  
\_\_\_\_\_  
Print Name of Personal Representative  
\_\_\_\_\_  
Address  
\_\_\_\_\_  
City, State and Zip Code  
\_\_\_\_\_

CERTIFICATE OF SERVICE

I certify that on \_\_\_\_\_ (date) a copy of this Notice was served on each of the following:

Name of Person to Whom you are Sending this Document	Relationship to Decedent	Address	Manner of Service*

\*Insert one of the following: Hand Delivery, First-Class Mail, Certified Mail, E-Served or Faxed.

Signature  
\_\_\_\_\_

\*Insert the later of the following two dates:

- ◆ The date set in the published Notice to Creditors by Publication (Form JDF 943).
- ◆ The date sixty days from the mailing or other delivery of this Notice, but not later than the date one year following the Decedent's death (§15-12-801, C.R.S.).





7. ☐ Administration of the Decedent's estate has not been granted in Colorado.
- ☐ Administration of the Decedent's estate has been granted in Colorado, but the estate has been settled without a determination of the descent or succession of all or a portion of the Decedent's property.
8. ☐ The Decedent died without a Will.
- ☐ The Decedent's died with a Will. Information regarding the Will is as follows:

The date of the Decedent's last Will is \_\_\_\_\_.

The dates of all codicils are \_\_\_\_\_.

The Will and any codicils are referred to as the Will. The Will was admitted to probate in \_\_\_\_\_ (county and Court) in Case No. \_\_\_\_\_ on \_\_\_\_\_ (date).

A certified Copy of the Will and the order admitting the Will to probate are attached.
9. This Petition concerns the descent or succession of the Decedent's interest in the following property:

Description of Property	Location of Property	Decedent's Interest

10. List names, addresses, and relationship of all interested persons, including Decedent's spouse, children, owners by inheritance, heirs and devisees.
- ◆ If a Guardian or Conservator has been appointed for one of the persons listed below, also provide the name and address of the Guardian or Conservator.

◆ If a minor child is listed, list the child's parent(s), Guardian or Conservator.

◆ If a spouse or child has predeceased the Decedent, include the date of death.

◆ See additional instructions below.

Name	Address (or date of death)	Age, only if Minor	Relationship (e.g. spouse, child, brother, guardian for spouse, etc.)



Petitioner requests that after notice and any required hearing, the Court enter judgment and decree determining that the Petitioner has standing to bring this action and determining the heirs or devisees of the Decedent, or both, the owners by inheritance of the property, a description of the property and any other pertinent facts.

**VERIFICATION AND ACKNOWLEDGMENT**

I, (Petitioner) verify that the facts set forth in this document are true as far as I know or am informed. I understand that penalties for perjury follow deliberate falsification of the facts stated herein. (§15-10-310, C.R.S.)

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Date

The foregoing instrument was acknowledged before me in the County of \_\_\_\_\_, State of Colorado, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the Petitioner.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public/Deputy Clerk

\_\_\_\_\_  
Signature of Attorney

\_\_\_\_\_  
Date

**Instructions for paragraph 10:**

Include any statements regarding legal disability or other incapacity required by Rule 10, C.R.P.P. and Section 15-12-1302(2)(c) C.R.S. List the names and dates of death of any deceased heirs or devisees. (See applicable antilapse statute, Sections 15-11-601 and 603, C.R.S.) Where a listed person is an heir, detail the relationship with the decedent that creates heirship. Examples: son, daughter of pre-deceased son. (Sections 15-11-101 to 114, C.R.S.) Attach additional pages if necessary.

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court County, Colorado		
Court Address:		
In the Matter of the Estate of:		
Deceased		▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address):		Case Number:
Phone Number: _____	E-mail: _____	
FAX Number: _____	Atty. Reg. #: _____	Division _____ Courtroom _____
NOTICE OF HEARING ON PETITION FOR FINAL SETTLEMENT		

Interested persons have the responsibility to protect their own rights and interests within the time and in the manner provided by the Colorado Probate Code, including the appropriateness of claims paid, the compensation of personal representatives, attorneys and others, and the distribution of estate assets. The Court will not review or adjudicate these or other matters unless a specific written objection is filed by an interested person.

If any interested person desires to object, such person shall file specific written objections and shall furnish the Personal Representative with a copy at or before the hearing.

Attendance at this hearing is not mandatory. Actual distribution of estate assets normally does not occur at the hearing.

To All Interested Persons:

A hearing on the Petition for Final Settlement (JDF 960), a copy of which is attached to this Notice, will be held at the following time and location or at a later date to which the hearing may be continued.

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Courtroom or Division: \_\_\_\_\_  
Address: \_\_\_\_\_

The hearing will take approximately \_\_\_\_\_ ☐ days ☐ hours ☐ minutes.

Date: \_\_\_\_\_  
Signature of Person Giving Notice or Attorney \_\_\_\_\_

CERTIFICATE OF SERVICE

I certify that on \_\_\_\_\_ (date) a copy of this Notice and Petition (JDF 960) was served on each of the following:

Name of Person to Whom you are Sending this Document	Relationship to Decedent	Address	Manner of Service*

\*Insert one of the following: Hand Delivery, First-Class Mail, Certified Mail, E-Served or Faxed.

\_\_\_\_\_  
Signature

Note:

- ◆ This form or JDF 963 must be used in formal proceedings terminating an estate, pursuant to §15-12-1001, C.R.S. or §15-12-1002, C.R.S., and Colorado Rules of Probate Procedure Rule 8.3.
- ◆ Use of this form is limited to an appearance hearing.

<input type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court County, Colorado Court Address:		
In the Matter of the Estate of:		▲ COURT USE ONLY ▲
Deceased		
Attorney or Party Without Attorney (Name and Address):		Case Number:
Phone Number:	E-mail:	Division Courtroom
FAX Number:	Atty. Reg. #:	
NOTICE OF NON-APPEARANCE HEARING ON PETITION FOR FINAL SETTLEMENT ***** Attendance at this hearing is not required or expected. *****		

**To All Interested Persons:**  
A non-appearance hearing on the Petition for Final Settlement and proposed Order is set at the following date, time and location or at a later date to which the hearing may be continued.

**Date:** \_\_\_\_\_ (Select a future date - no less than 14 days from service).)

**Time: 8:00 a.m.**

**Address:** \_\_\_\_\_

**Date:** \_\_\_\_\_

\_\_\_\_\_  
Signature of Person Giving Notice or Attorney

\*\*\*\*\* IMPORTANT NOTICE\*\*\*\*\*

Interested persons have the responsibility to protect their own rights and interests within the time and in the manner provided by the Colorado Probate Code, including the appropriateness of claims paid, the compensation of personal representatives, attorneys and others, and the distribution of estate assets. The Court will not review or adjudicate these or other matters unless specifically requested to do so by an interested person.

Any interested person wishing to object to the Petition must file a specific written Objection with the Court on or before the hearing and must furnish a copy of the Objection to the person requesting the court order and the personal representative. JDF 722 (Objection form) is available on the Colorado Judicial Branch website ([www.courts.state.co.us](http://www.courts.state.co.us)). If no objection is filed, the Court may take action on the Petition without further notice or hearing. If any objection is filed, the objecting party must, within 14 days after filing the objection, set the objection for an appearance hearing. Failure to timely set the objection for an appearance hearing as required shall result in the dismissal of the objection with prejudice without further hearing.

Actual distribution of estate assets normally does not occur at the hearing.

CERTIFICATE OF SERVICE

I certify that on \_\_\_\_\_ (date) a copy of this Notice along with the Petition and proposed Order identified above was served on each of the following:

Name of Person to Whom you are Sending this Document	Relationship	Address	Manner of Service*

\*Insert one of the following: Hand Delivery, First-Class Mail, Certified Mail, E-Served or Faxed.

\_\_\_\_\_  
Signature

**Note:** Do not set matters on the non-appearance docket, unless they are expected to be routine and unopposed.

JDF 963 R1-12 NOTICE OF NON-APPEARANCE HEARING ON PETITION FOR FINAL SETTLEMENT



STATE OF COLORADO  
COUNTY OF \_\_\_\_\_

**COLLECTION OF PERSONAL PROPERTY  
BY AFFIDAVIT PURSUANT TO §15-12-1201, C.R.S.**

1. I, \_\_\_\_\_, affirm under oath that the following statements are true and correct:
2. I am a Successor of the Decedent and I am 18 years of age or older.
3. At least ten days have elapsed since the death of \_\_\_\_\_ (Decedent).
4. The total fair market value of all property owned by the Decedent and subject to disposition by Will or intestate succession at the time of the Decedent's death, wherever that property is located, less liens and encumbrances, does not exceed \$61,000.00 (as of January 1, 2012; see <http://www.scribd.com/doc/90162110/2012-Cost-of-Living-Adjustments-COLA-from-Colo-Dept-of-Revenue-for-updated-values>).
5. No Application or Petition for the appointment of a personal representative is pending or has been granted in any jurisdiction.
6. The Successor(s), listed below, is/are entitled to the payment of any sums of money due and owing to the Decedent, and to the delivery of all tangible personal property belonging to the Decedent and in the possession of another, and to the delivery of all instruments evidencing a debt, obligation, stock or chose in action (right to bring legal action) belonging to the Decedent. The proportion/percentage that each Successor will receive is listed below:

Name of Successor	Proportion or Percentage

7. I understand that I am answerable and accountable to any subsequently appointed personal representative of the estate or any other person having a superior right to the estate.

Signature of Successor \_\_\_\_\_ Date \_\_\_\_\_

Subscribed and affirmed, or sworn to before me in the \_\_\_\_\_ the  
County of \_\_\_\_\_, State of \_\_\_\_\_,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the Successor.

My Commission Expires: \_\_\_\_\_

Notary Public \_\_\_\_\_

Note: The person or entity paying, delivering, transferring, or issuing personal property pursuant to this affidavit is discharged and released to the same extent as if he/she/it dealt with a personal representative of the Decedent. (§15-12-1201, C.R.S.)





CHAPTER 29

**The Colorado  
Rules of Criminal Procedure  
For All Courts of Record  
In Colorado**

N.B. These rules do not apply to Municipal Ordinance and Charter violations.

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Adopted by the  
SUPREME COURT OF COLORADO  
November 29, 1973,  
Effective April 1, 1974,  
and as Amended

*The Colorado*  
Rules of Criminal Procedure  
as of all Courts of Record  
in Colorado

THE COLORADO BAR ASSOCIATION, 1870.

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## **ANALYSIS BY RULE**

### **II. INITIATION OF PRELIMINARY FELONY PROCEEDINGS**

**Rule 4. Warrant or Summons Upon Felony Complaint**

### **VII. JUDGMENT**

**Rule 32.1. Death Penalty Sentencing Hearing**





# CHAPTER 29

## COLORADO RULES OF CRIMINAL PROCEDURE

### II. INITIATION OF PRELIMINARY FELONY PROCEEDINGS

#### Rule 4. Warrant or Summons Upon Felony Complaint

##### (a) Issuance.

(1) Upon the filing of a felony complaint in the county court, the prosecuting attorney shall request the court to order that a warrant shall issue for the arrest of the defendant, or that summons shall issue and be served upon the defendant.

(2) If a warrant is requested, the felony complaint must contain or be accompanied by a sworn statement of facts establishing probable cause to believe that a criminal offense **has been committed, and that the offense was committed** by the person for whom the warrant is sought. In lieu of such a sworn statement, the felony complaint may be supplemented by sworn testimony of such facts. Such testimony must be transcribed and then signed under oath by the witness giving the testimony.

(3) Except in class 1, class 2, and class 3 felonies, and in unclassified felonies punishable by a maximum penalty of more than ten years, whenever a felony complaint has been filed prior to the arrest of the person named as defendant therein, the court, with the consent of the prosecuting attorney, shall have power to issue a summons commanding the appearance of the defendant in lieu of a warrant for his arrest. The court shall issue a summons instead of an arrest warrant when the prosecuting attorney so requests.

(4) Except in class 1, class 2, and class 3 felonies, the general policy shall favor issuance of a summons instead of a warrant for the arrest of the defendant except where there is reasonable ground to believe that, unless taken into custody, the defendant will flee to avoid prosecution or will fail to respond to a summons. When an application is made to a court for issuance of an arrest warrant or summons, the court may require the applicant to provide such information as reasonably is available concerning the following:

- (I) The defendant's residence;
- (II) The defendant's employment;
- (III) The defendant's family relationships;
- (IV) The defendant's past history of response to legal process; and
- (V) The defendant's past criminal record.

(5) If any person properly summoned pursuant to this Rule fails to appear as commanded by the summons, the court shall forthwith issue a warrant for his arrest.

(6) When a corporation is charged with the commission of an offense, the court shall issue a summons setting forth the nature of the offense and commanding the corporation to appear before the court at a certain time and place.

##### (b) Form.

(1) **Warrant.** The arrest warrant shall be a written order issued by a judge of a court of record directed to any peace officer and shall:

- (I) State the defendant's name or if that is unknown, any name or description by which he can be identified with reasonable certainty;
- (II) Command that the defendant be arrested and brought without unnecessary delay before the nearest available judge of a county or district court;
- (III) Identify the nature of the offense;
- (IV) Have endorsed upon it the amount of bail if the offense is bailable; and
- (V) Be signed by the issuing county judge.

(2) **Summons.** If a summons is issued in lieu of a warrant pursuant to this Rule, the summons shall:

- (I) Be in writing;

- (II) State the name of the person summoned and his address;
- (III) Identify the nature of the offense;
- (IV) State the date when issued and the county where issued;
- (V) Be signed by the judge or clerk of the court with the title of his office; and
- (VI) Command the person to appear before the court at a certain time and place.

**(c) Execution or Service and Return.**

**(1) Warrant.**

- (I) By Whom. The warrant may be executed by any peace officer.
- (II) Territorial Limits. The warrant may be executed anywhere within Colorado.
- (III) Manner. The warrant shall be executed by arresting the defendant. The officer need not have the warrant in his possession at the time of arrest, but if he has the warrant at that time he shall show it to the defendant immediately upon request. If the officer does not have the warrant in his possession at the time of arrest, he shall then inform the defendant of the offense and of the fact that a warrant has been issued, and upon request he shall show the warrant to the defendant as soon as possible.

(IV) Return. The peace officer executing a warrant shall make return thereof to the issuing court. At the request of the prosecuting attorney any unexecuted warrant shall be returned to the issuing county judge and cancelled by him. At the request of the prosecuting attorney, made while a complaint is pending, a warrant returned unexecuted and not cancelled, or a duplicate thereof, may be delivered by the county judge to any peace officer or other authorized person for execution.

**(2) Summons.**

- (I) By Whom. The summons may be served by any person authorized to effect service in a civil action.

(II) Territorial Limits. The summons may be served anywhere within Colorado.

(III) Manner. A summons issued pursuant to this Rule may be served in the same manner as the summons in a civil action or by mailing it to the defendant's last known address, not less than 14 days prior to the time the defendant is required to appear, by registered mail with return receipt requested or certified mail with return receipt requested. Service by mail shall be complete upon the return of the receipt signed by the defendant or signed on behalf of the defendant by one authorized by law to do so. The summons for the appearance of a corporation may be served by a peace officer in the manner provided for service of summons upon a corporation in a civil action.

(IV) Return. At least one day prior to the return day, the person to whom a summons has been delivered for service shall make return thereof to the county court before whom the summons is returnable. At the request of the prosecuting attorney, made while a complaint is pending, a summons returned unserved, or a duplicate thereof, may be delivered by the county judge to any peace officer or other authorized person for service.

**Source:** (c)(2)(III) amended and adopted October 15, 2009, effective January 1, 2010; (c)(2)(III) and (c)(2)(IV) amended and adopted December 14, 2011, effective July 1, 2012; (c)(2)(IV) amended and adopted, effective November 2, 2012.

## **VII. JUDGMENT**

### **Rule 32.1. Death Penalty Sentencing Hearing**

**(a) Purpose and Scope.** The purpose of this rule is to establish a uniform, expeditious procedure for conducting death penalty sentencing hearings in accordance with section 18-1.3-1201, 6 C.R.S.

**(b) Statement of Intention to Seek Death Penalty.** In any class 1 felony case in which the prosecution intends to seek the death penalty, the prosecuting attorney shall file a written statement of that intention with the trial court no later than 63 days (9 weeks) after arraignment and shall serve a copy of the statement on the defendant's attorney of record or the defendant if appearing pro se.



(c) **Date of Sentencing Hearing.** After a verdict of guilt to a class 1 felony, the trial judge shall set a date for the sentencing hearing. The sentencing hearing shall be held as soon as practicable following the trial.

(d) **Discovery Procedures for Sentencing Hearing.** The following discovery provisions shall apply to the death penalty sentencing hearing:

(1) **Aggravating Factors.** Not later than 21 days after the filing of the written statement of intention required in subsection (b) of this rule, the prosecuting attorney shall provide to the defendant, and file with the court a list of the aggravating factors enumerated at section 18-1.3-1201(5), 6 C.R.S., and that the prosecuting attorney intends to prove at the hearing.

(2) **Prosecution Witnesses.** Not later than 21 days after the filing of the written statement of intention required in subsection (b) of this rule, the prosecuting attorney shall provide to the defendant a list of the witnesses whom the prosecuting attorney may call at the sentencing hearing and shall promptly furnish the defendant with written notification of any such witnesses who subsequently become known or the materiality of whose testimony subsequently becomes known. Along with the name of the witness, the prosecuting attorney shall furnish the witness' address and date of birth, the subject matter of the witness' testimony, and any written or recorded statement of that witness, including notes.

(3) **Prosecution Books, Papers, Documents.** Not later than 21 days after the filing of the written statement of intention required in subsection (b) of this rule, the prosecuting attorney shall provide to the defendant a list of the books, papers, documents, photographs, or tangible objects, and access thereto, that the prosecuting attorney may introduce at the sentencing hearing and shall promptly furnish the defendant written notification of additional such items as they become known.

(4) **Prosecution Experts.** As soon as practicable but not later than 63 days (9 weeks) before trial, the prosecuting attorney shall provide to the defendant any reports, recorded statements, and notes, including results of physical or mental examinations and scientific tests, experiments, or comparisons, of any experts whom the prosecuting attorney intends to call as a witness at the sentencing hearing and shall promptly furnish the defendant additional such items as they become available.

(5) **Material Favorable to the Accused.** Not later than 21 days after the filing of the written statement of intention required in subsection (b) of this rule, the prosecuting attorney shall make available to the defendant any material or information within the prosecuting attorney's possession or control that would tend to mitigate or negate the finding of any of the aggravating factors the prosecuting attorney intends to prove at the sentencing hearing, and the prosecuting attorney shall promptly make available to the defendant any such material or information that subsequently comes into the prosecuting attorney's possession or control.

(6) **Prosecution's Rebuttal Witnesses.** Upon receipt of the information required by subsection (7), the prosecuting attorney shall notify the defendant as soon as practicable but not later than 14 days before trial of any additional witnesses whom the prosecuting attorney intends to call in response to the defendant's disclosures.

(7) **Defendant's Disclosure.**

(A) Subject to constitutional limitations, the defendant shall provide the prosecuting attorney with the following information and materials not later than 35 days before trial:

(I) A list of witnesses whom the defendant may call at the sentencing hearing. Along with the name of the witness, the defendant shall furnish the witness's address and date of birth, the subject matter of the witness's testimony, and any written or recorded statement of that witness, including notes, that comprise substantial recitations of witness statements and relate to the subject matter of the testimony;

(II) A list of the books, papers, documents, photographs, or tangible objects, and access thereto, that the defendant may introduce at the sentencing hearing;

(III) Any reports, recorded statements, and notes of any expert whom the defendant may call as a witness during the sentencing hearing, including results of physical or mental examinations and scientific tests, experiments, or comparisons.

(B) Any material subject to this subsection (7) that the defendant believes contains self-incriminating information that is privileged from disclosure to the prosecution prior to

the sentencing hearing shall be submitted by the defendant to the trial judge under seal no later than 49 days before trial. The trial judge shall review any material submitted under seal pursuant to this paragraph (B) to determine whether it is in fact privileged.

(I) Any material submitted under seal pursuant to this paragraph (B) that the judge finds to be privileged from disclosure to the prosecution prior to the sentencing hearing shall be provided forthwith to the prosecution if the defendant is convicted of a class 1 felony.

(II) If the trial judge finds any of the material submitted under seal pursuant to this paragraph (B) to be not privileged from disclosure to the prosecution prior to the sentencing hearing, the trial judge shall notify the defense of its findings and allow the defense 7 days after such notification in which to seek a modification, review or stay of the court's order requiring disclosure.

(III) The trial judge may excise information it finds privileged from information it finds not privileged in order to disclose as provided in (II) above.

(8) **Regulation of Discovery and Sanctions.** No party shall be permitted to rely at the sentencing hearing upon any witness, material, or information that is subject to disclosure pursuant to this rule until it has been disclosed to the opposing party. The trial court, upon a showing of good cause, may grant an extension of time to comply with the requirements of this rule. If it is brought to the attention of the court that a party has failed to comply with this rule or with an order issued pursuant to this rule, the court may enter an order against such party that the court deems just under the circumstances, and which is consistent with constitutional limitations, including but not limited to an order to permit the discovery or inspection of materials not previously disclosed, to grant a continuance, to prohibit the offending party from introducing the information and materials, or impose sanctions against the offending party.

**Source:** Entire rule adopted and effective September 1, 1995; (f) to (h) amended and effective January 14, 1999; (f)(6)(III) corrected, effective March 2, 1999; IP(f)(6) corrected, effective March 31, 1999; entire rule amended and adopted March 11, 2004, effective July 1, 2004; (b), (d)(1) to (d)(6), IP(d)(7)(A), and (d)(7)(B), amended and adopted December 14, 2011, effective July 1, 2012; amended and adopted, effective November 2, 2012.

CHAPTER 32

# **The Colorado Appellate Rules**

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Adopted by the  
SUPREME COURT OF COLORADO  
Effective April 1, 1970,  
and as Amended



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## ANALYSIS BY RULE

### APPEALS FROM JUDGMENTS AND ORDERS OF TRIAL COURTS AND AGENCIES

- Rule 4.**      **Appeal as of Right — When Taken**
- Rule 5.**      **Entry of Appearance and Withdrawal**

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THE ALLIANCE FOR THE AMERICAN PEOPLE  
A 100% AMERICAN ORGANIZATION

AMERICAN PEOPLE'S PARTY  
100% AMERICAN OWNED AND OPERATED

100%  
100%

# CHAPTER 32

## COLORADO APPELLATE RULES

### APPEALS FROM JUDGMENTS AND ORDERS OF TRIAL COURTS AND AGENCIES

#### Rule 4. Appeal as of Right — When Taken

(a) **Appeals in Civil Cases (Other than Appeals or Appellate Review Within C.A.R. 3.1, 3.2, 3.3 and 3.4).** Except as provided in Rule 4(e), in a civil case in which an appeal is permitted by law as of right from a trial court to the appellate court, the notice of appeal required by C.A.R. 3 shall be filed with the appellate court with an advisory copy served on the clerk of the trial court within 49 days of the date of the entry of the judgment, decree, or order from which the party appeals. In appeals from district court review of agency actions, such notice of appeal shall be in addition to the statutory 45-day notice of intent to seek appellate review filed with the district court required by C.R.S. 24-4-106(9). If a timely notice of appeal is filed by a party, any other party may file a notice of appeal within 14 days of the date on which the first notice of appeal is filed, or within the time otherwise prescribed by this section (a), whichever period last expires.

The running of the time for filing a notice of appeal is terminated as to all parties by a timely motion filed in the trial court by any party pursuant to the Colorado Rules of Civil Procedure hereafter enumerated in this sentence, and the full time for appeal fixed by this section (a) commences to run and is to be computed from the entry of any of the following orders made upon a timely motion under such rules: (1) Granting or denying a motion under C.R.C.P. 59 for judgment notwithstanding verdict; (2) granting or denying a motion under C.R.C.P. 59, to amend findings of fact, whether or not an alteration of the judgment would be required if the motion is granted; (3) granting or denying a motion under C.R.C.P. 59, to alter or amend the judgment; (4) denying a motion for a new trial under C.R.C.P. 59; (5) expiration of a court granted extension of time to file motion(s) for post-trial relief under C.R.C.P. 59, where no motion is filed. The trial court shall continue to have jurisdiction to hear and decide a motion under C.R.C.P. 59 regardless of the filing of a notice of appeal, provided the C.R.C.P. 59 motion is timely filed under C.R.C.P. 59(a) and determined within the time specified in C.R.C.P. 59(j). During such time, all proceedings in the appellate court shall be stayed. A judgment or order is entered within the meaning of this section (a) when it is entered pursuant to C.R.C.P. 58. If notice of the entry of judgment, decree, or order is transmitted to the parties by mail or E-Service, the time for the filing of the notice of appeal shall commence from the date of the mailing or E-Service of the notice.

Upon a showing of excusable neglect, the appellate court may extend the time for filing the notice of appeal by a party for a period not to exceed 35 days from the expiration of the time otherwise prescribed by this section (a). Such an extension may be granted before or after the time otherwise prescribed by this section (a) has expired; but if a request for an extension is made after such time has expired, it shall be made by motion with such notice as the court shall deem appropriate.

**Comment:** C.A.R. 4(a) provides for the notice of appeal to be filed with the appellate court and a copy to be served upon the trial court. Time for filing the notice of appeal is increased to 49 days.

#### (b) Appeals in Criminal Cases.

(1) Except as provided in Rule 4(e), in a criminal case the notice of appeal by a defendant shall be filed in the appellate court and an advisory copy served on the clerk of the trial court within 49 days after the entry of the judgment or order appealed from. A



notice of appeal filed after the announcement of a decision, sentence, or order but before entry of the judgment or order shall be treated as filed on the date of such entry. If a timely motion in arrest of judgment or for a new trial on any ground other than newly discovered evidence has been made, an appeal from a judgment of conviction may be taken within 49 days after the entry of an order denying the motion. A motion for a new trial based on the ground of newly discovered evidence will similarly extend the time for appeal from a judgment of conviction if the motion is made within 14 days after entry of the judgment. A judgment or order is entered within the meaning of this section (b) when it is entered in the criminal docket. Upon a showing of excusable neglect the appellate court may, before or at any time after the time has expired, with or without motion and notice, extend the time for filing a notice of appeal for a period not to exceed 35 days from the expiration of the time otherwise prescribed by this section (b).

**Comment:** C.A.R. 4(b) has been altered to make it conform more closely to C.A.R. 4(a).

(2) Unless otherwise provided by statute or Colorado appellate rule, when an appeal by the state or the people is authorized by statute, the notice of appeal shall be filed in the Court of Appeals within 49 days after the entry of judgment or order appealed from. The Court of Appeals, after consideration of said appeal, shall issue a written decision answering the issues in the case and shall not dismiss the appeal as without precedential value. The final decision of the Court of Appeals is subject to petition for certiorari to the Supreme Court.

(3) **Prosecutorial Appeals in Criminal Cases.** An appeal by the state or the people from an order dismissing one or more but less than all counts of a charging document prior to trial, including a finding of no probable cause at a preliminary hearing, shall be filed in the court of appeals unless the order is based on a determination that a statute, municipal charter provision, or ordinance is unconstitutional, in which case the appeal shall be filed in the supreme court. Appeals of orders dismissing one or more but less than all counts of a charging document shall otherwise be conducted pursuant to the procedures set forth in Rule 4.1, except petitions for rehearing and certiorari shall be permitted, and mandates shall issue, as provided by these rules.

**(c) Appellate Review of Felony Sentences.**

(1) **Availability of Review.** Except in those cases provided for in subsection (e) of this Rule, a person upon whom sentence is imposed for conviction of a felony shall have the right to one appellate review of the propriety of the sentence, having regard to the nature of the offense, the character of the offender, the public interest, and the sufficiency and accuracy of the information on which the sentence was based.

(I) If the appeal review of conviction is sought in a case where there has been a trial and conviction on the merits, appellate review of the propriety of the sentence will be a part of and be treated in the same manner as the review of the conviction.

(II) If the appeal is to review a sentence following a plea of guilty or nolo contendere, or resentencing, where the imposition of sentence was the only issue before the court, then the following abbreviated procedure for appellate review of sentences will be utilized:

(A) The notice of appeal must be filed within 49 days from the date of the imposition of sentence. The notice shall be filed with the appellate court with an advisory copy served on the clerk of the trial court which imposed the sentence. The time for filing the notice of appeal may be extended by the appellate court.

(B) Except as provided by this Rule, the Colorado Appellate Rules governing criminal appeals shall apply to appellate review of sentences.

**Comment:** The change in the title and deletion of subsection (d) of this rule became necessary because of repeal of C.R.S. 18-1-409(2.1) and (2.2) and repeal of C.R.S. 18-1-409.5 effective July 1, 1981. In 1984 this rule was changed to make it conform more closely to C.A.R. 4(a) and (b).

**(d) Appeals of Cases in Which a Sentence of Death Has Been Imposed.**

(1) **Availability of Review.** Whenever a sentence of death is imposed, the Supreme Court shall review the propriety of the sentence, having regard to the nature of the offense,



the character and record of the offender, the public interest, and the manner in which the sentence was imposed, including the sufficiency and accuracy of the information upon which it was based.

If the Supreme Court determines that the sentence was imposed under the influence of passion, prejudice, or any other arbitrary factor, or that, as a matter of law, the sentence is not supported by the evidence, a sentence of death shall not thereafter be imposed.

(2) **Procedure.** The procedure for pursuing appeals in cases in which a sentence of death has been imposed is as set forth in Rule 32.2 of the Colorado Rules of Criminal Procedure.

(3) **Record on Appeal.** In appeals under subsection (e) of this Rule, the following items shall be included in the record on appeal:

(I) The indictment or information upon which the sentence is based; a verbatim transcript of the entire sentencing proceeding; the instructions given by the trial court and tendered by the parties in the sentencing proceeding; all exhibits admitted or offered during the trial and at the sentencing proceeding; all verdict forms submitted to the jury; and the judgment, sentence, and mittimus.

(II) Such other portions of the record as may be designated under C.A.R. 10(b) or as may be ordered by the Supreme Court.

(e) **Appeal by an Inmate Confined in an Institution.** If an inmate confined in an institution files a notice of appeal in either a civil case or a criminal case, the notice of appeal is timely filed if it is deposited in the institution's internal mail system on or before the last day for filing. If an institution has a system designed for legal mail, the inmate must use that system to receive the benefit of this rule.

**Source:** (a) amended August 23, 1984, effective January 1, 1985; (b)(2) amended July 7, 1988, effective August 1, 1988; (a) amended and effective June 18, 1992; (a) and (d) amended March 17, 1994, effective July 1, 1994; (c)(1)(I) amended and effective April 7, 1994; (a) corrected and effective January 9, 1995; entire rule amended and adopted May 17, 2001, effective July 1, 2001; (b)(1) corrected June 12, 2001, effective July 1, 2001; (b)(3) added and adopted June 27, 2002, effective July 1, 2002; (a) amended and effective September 9, 2004; (a) amended and effective November 9, 2006; (a) amended and effective February 7, 2008; (d)(2) amended and effective May 10, 2010; (a), (b)(1), (b)(2), (c)(1)(II)(A), and (d)(2) amended and adopted December 14, 2011, effective July 1, 2012.

## Rule 5. Entry of Appearance and Withdrawal

(a) **Entry of Appearance.** No attorney shall appear in any matter before the court until the attorney has entered an appearance by filing an Entry of Appearance or signing a pleading. An entry of appearance shall state (a) the identity of the party for whom the appearance is made; (b) the attorney's office address; (c) the attorney's telephone number; and (d) the attorney registration number.

(b) **Withdrawal.** An attorney may withdraw from a case only upon order of court. Such approval shall rest in the sound discretion of the court, and shall not be granted until the attorney seeking to withdraw has made reasonable efforts to give actual notice to the client:

- (1) That the attorney wishes to withdraw;
- (2) That the court retains jurisdiction;
- (3) That the client has the burden of keeping the court informed where notices, pleadings or other papers may be served;
- (4) That the client has the obligation to prepare for all appellate proceedings, or secure other counsel to so prepare;
- (5) That if the client fails or refuses to meet these burdens, the court may impose appropriate sanctions;
- (6) Of the dates of any proceedings and that the holding of such proceedings will not be affected by the withdrawal of counsel;
- (7) If the client is not a natural person, that it must be represented by counsel in any appellate proceeding unless it is a closely held entity and first complies with section 13-1-127, C.R.S.;

(8) That process may be served upon the client at his last known address; and

(9) Of the client's right to object within 14 days of the date of the notice.

(c) **Written Notification Certificate.** The attorney seeking to withdraw shall prepare a notification certificate stating that the above notification requirements have been met and the manner by which such notification was given to the client, and setting forth the client's last known address and telephone number. The notification certificate shall be filed with the court and a copy mailed to the client and all other parties. The client and opposing counsel shall have 14 days prior to entry of an order permitting withdrawal or such lesser time as the court may permit within which to file objections to the withdrawal. After order permitting withdrawal, the client shall be notified by the withdrawing attorney of the effective date of the withdrawal and all pleadings, notices or other papers may be served on the party directly by mail at the last known address of the party until new counsel enters an appearance.

(d) **Entries of Appearance and Withdrawals by Members or Employees of Law Firms, Professional Corporations or Clinics.** The entry of an appearance or withdrawal by an attorney who is a member or an employee of a law firm, professional corporation or clinic shall relieve other members or employees of the same law firm, professional corporation or clinic from the necessity of filing additional entries of appearance or withdrawal in the same litigation unless otherwise indicated.

(e) **Notice of Limited Representation Entry of Appearance and Withdrawal.** An attorney may undertake to provide limited representation to a pro se party involved in a civil appellate proceeding. Upon the request and with the consent of a pro se party, an attorney may make a limited appearance for the pro se party to file a notice of appeal and designation of record in the court of appeals or the supreme court, to file or oppose a petition or cross-petition for a writ of certiorari in the supreme court, to respond to an order to show cause issued by the supreme court or the court of appeals, or to participate in one or more specified motion proceedings in either court, if the attorney files and serves with the court and the other parties and attorneys (if any) a notice of the limited appearance prior to or simultaneous with the proceeding(s) for which the attorney appears. At the conclusion of such proceeding(s), the attorney's appearance terminates without the necessity of leave of court, upon the attorney filing a notice of completion of limited appearance in the appellate court in which the attorney appeared, a copy of which may be filed in any other court, except that an attorney filing a notice of appeal or petition or cross-petition for writ of certiorari is obligated, absent leave of court, to respond to any issues regarding the appellate court's jurisdiction. Service on an attorney who makes a limited appearance for a party shall be valid only in connection with the specific proceedings(s) for which the attorney appears. The provisions of this C.A.R. 5(e) shall not apply to an attorney who has filed an opening or answer brief pursuant to C.A.R. 31.

(f) **Termination of Representation.** When an attorney has entered an appearance, other than a limited appearance pursuant to C.A.R. 5(e), on behalf of a party in an appellate court without having previously represented that party in the matter in any other court, the attorney's representation of the party shall terminate at the conclusion of the proceedings in the appellate court in which the attorney has appeared, unless otherwise directed by the appellate court or agreed to by the attorney and the party represented. Counsel may file a notice of such termination of representation in any other court.

**Source:** Entire rule added August 30, 1985, effective January 1, 1986; (b)(2) amended and effective April 7, 1994; (b) amended and effective April 5, 2010; (b)(9) and (c) amended and adopted December 14, 2011, effective January 1, 2012, for all cases pending on or filed on or after January 1, 2012, pursuant to C.R.C.P. 1(b); (e), (f), and comment added and effective October 11, 2012.

#### COMMENT

The purpose of C.A.R. 5(e) is to establish a procedure similar to that set forth in Colorado Rule of Civil Procedure 121 Section 1-1(5).

This procedure provides assurance that an attorney who makes a limited appearance for a pro se party in a specified appellate case proceed-

ing(s), at the request of and with the consent of the pro se party, can withdraw from the case upon filing a notice of completion of the limited appearance, without leave of court. The purpose of C.A.R. 5(f) is to make clear that when an attorney appears for a party, whom he or she has not previously represented, in an appellate court and the proceedings in that court have concluded, the attorney is not obligated to rep-

resent the party in any other proceeding on remand or in any review of the appellate court's decision by any other court. Nothing in this provision would prevent the attorney from entering a limited or general appearance on behalf of the party in another court (for example, on a writ of certiorari to the supreme court), if agreed to by the attorney and the party.





APPENDIX TO CHAPTER 32

# **The Colorado Appellate Rules**



THE UNIVERSITY OF CHICAGO

The University  
of Chicago Press

# APPENDIX TO CHAPTER 32

## FORMS

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Form 1.

<b>Court of Appeals, State of Colorado</b> <b>2 East 14<sup>th</sup> Ave., Denver, CO 80203</b> Name of Lower Court(s): _____ Trial Court Judges(s): _____ Case Number(s): _____		<b>▲ COURT USE ONLY ▲</b>
<b>THE PEOPLE OF THE STATE OF COLORADO</b> <b>In the Interest of :</b> _____ [initials pursuant to § 19-1-109(1)] <b>Minor Child(ren),</b> <b>And Concerning:</b> _____ [initials pursuant to § 19-1-109(1)] <b>Appellant/Respondent:</b> _____		
Attorney or Party Without Attorney (Name and Address): _____		
Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____		
		Case Number: _____  Division _____ Courtroom _____
<b>NOTICE OF APPEAL (CROSS-APPEAL) AND DESIGNATION OF RECORD</b>		

Notice is hereby given that \_\_\_\_\_ as counsel for \_\_\_\_\_ hereby ☐appeals ☐cross-appeals the order of ☐adjudication ☐disposition ☐termination entered by the trial court and all adverse rulings made therein. The trial court's order was reduced to writing, dated, and signed on \_\_\_\_\_ (date).

DESIGNATION OF RECORD

The clerk of the trial court will prepare the record on appeal, which shall include, pursuant to C.A.R. 3.4(e), the following items:

- 1. The trial court file, including all pleadings, motions, reports, exhibits, and orders of the court.
- 2. The original transcript of the following proceedings:

- ☐ The adjudicatory hearing held on \_\_\_\_\_ (date(s))
- ☐ The dispositional hearing held on \_\_\_\_\_ (date(s))
- ☐ The review hearing held on \_\_\_\_\_ (date(s))
- ☐ The permanency hearing held on \_\_\_\_\_ (date(s))
- ☐ The termination hearing held on \_\_\_\_\_ (date(s))

- 3. The name and address of the court reporter(s) is:

\_\_\_\_\_  
Name  
  
\_\_\_\_\_  
Address  
  
\_\_\_\_\_  
City                      State                      Zip Code

\_\_\_\_\_  
Name  
  
\_\_\_\_\_  
Address  
  
\_\_\_\_\_  
City                      State                      Zip Code

[or]

4. I need not order transcripts because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. I need not secure appellant's signature because: [See C.A.R. 3.4(d)] \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

_____ Signature, attorney for appellant	_____ Date	_____ Signature of appellant	_____ Date
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**CERTIFICATE OF MAILING**

I certify that on \_\_\_\_\_ (date) the original of this *NOTICE OF APPEAL (CROSS-APPEAL) AND DESIGNATION OF RECORD* was filed with the trial court and Court of Appeals; and a true and accurate copy of this *NOTICE OF APPEAL (CROSS-APPEAL) AND DESIGNATION OF RECORD* was served on the other party(ies) and any court reporters listed above by placing it in the United States mail, postage pre-paid and addressed to the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature



### Form 2.

<b>Court of Appeals, State of Colorado</b> <b>2 East 14<sup>th</sup> Ave., Denver, CO 80203</b> Name of Lower Court(s): _____ Trial Court Judges(s): _____ Case Number(s): _____		
<b>THE PEOPLE OF THE STATE OF COLORADO</b> In the Interest of : _____ [initials pursuant to § 19-1-109(1)] Minor Child(ren), And Concerning: _____ [initials pursuant to § 19-1-109(1)] Appellant/Respondent: _____		▲ <b>COURT USE ONLY</b> ▲
Attorney or Party Without Attorney (Name and Address): _____  Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____		Case Number: _____  Division _____ Courtroom _____
<b>CERTIFICATE OF DILIGENT SEARCH</b>		

1. I, \_\_\_\_\_, was counsel for \_\_\_\_\_ in the above-captioned case.
2. Since the time of entry of the order of: ☐adjudication ☐disposition☐termination, I have attempted to ascertain the whereabouts of my client:  
☐to discuss the merits of an appeal; ☐to obtain his/her signature on the notice of appeal.
3. I have made the following efforts:
  - ☐ a. Sent a letter with proper postage affixed to the last-known address of my client and: ☐received no response; ☐the letter has been returned to me.
  - ☐ b. Ascertained through the post office in \_\_\_\_\_ that my client has not filed a forwarding address.
  - ☐ c. Telephoned my client with no response.
  - ☐ d. Checked with the \_\_\_\_\_ telephone company, and there is no new telephone listing on file for my client.
  - ☐ e. Undertaken the following additional inquiry into the whereabouts of my client:

4. I am unable to determine the whereabouts of my client.

I hereby certify that the above stated facts are true and correct.

Signature, attorney for appellant

Date \_\_\_\_\_

**CERTIFICATE OF MAILING**

I certify that on \_\_\_\_\_ (date) the original of this *CERTIFICATE OF DILIGENT SEARCH* was filed with the District Court; and a true and accurate copy of this *CERTIFICATE OF DILIGENT SEARCH* was served on the other party(ies) by placing it in the United States mail, postage pre-paid and addressed to the following:

Signature \_\_\_\_\_

Form 3.

<b>Court of Appeals, State of Colorado</b> <b>2 East 14<sup>th</sup> Ave. Denver, CO 80203</b> Name of Lower Court(s): _____ Trial Court Judges(s): _____ Case Number(s): _____			
<b>THE PEOPLE OF THE STATE OF COLORADO</b> In the Interest of : _____ [initials pursuant to § 19-1-109(1)] Minor Child(ren), And Concerning: _____ [initials pursuant to § 19-1-109(1)] Appellant/Respondent: _____		<b>▲ COURT USE ONLY ▲</b>	
Attorney or Party Without Attorney (Name and Address): _____			
Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____		Case Number: _____  Division _____ Courtroom _____	
<b>SUPPLEMENTAL DESIGNATION OF RECORD</b>			

In addition to the transcripts designated by appellant, the clerk of the trial court shall include in the record on appeal:

1. The original transcripts of the following proceedings:
- a. \_\_\_\_\_ (List the name and the date of the proceeding.)
  - b. \_\_\_\_\_ ([List the name and the date of the proceeding.]
2. The name and address of the court reporter(s) is:

_____ Name	_____ Name
_____ Address	_____ Address
_____ City	_____ City
_____ State	_____ State
_____ Zip Code	_____ Zip Code
_____ Signature	
_____ Date	

CERTIFICATE OF MAILING

I certify that on \_\_\_\_\_ (date) the original of this *SUPPLEMENTAL DESIGNATION OF RECORD* was filed with the trial court and the Court of Appeals; and a true and accurate copy of this *SUPPLEMENTAL DESIGNATION OF RECORD* was served on the other party (ies) and the court reporter(s) by placing it in the United States mail, postage pre-paid and addressed to the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Signature

Form 4.

<b>Court of Appeals, State of Colorado</b> <b>2 East 14<sup>th</sup> Ave. Denver, Co 80203</b> Name of Lower Court(s): _____ Trial Court Judges(s): _____ Case Number(s): _____		<b>▲ COURT USE ONLY ▲</b>	
<b>THE PEOPLE OF THE STATE OF COLORADO</b> In the Interest of : _____ [initials pursuant to § 19-1-109(1)] <b>Minor Child(ren),</b> <b>And Concerning:</b> _____ [initials pursuant to § 19-1-109(1)] <b>Appellant/Respondent:</b> _____			
Attorney or Party Without Attorney (Name and Address): _____  Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____			Case Number: _____  Division _____ Courtroom _____
<b>PETITION ON APPEAL</b>			

1. This Petition on Appeal is filed on behalf of \_\_\_\_\_ (initials), the ☐mother ☐father ☐child ☐State ☐Intervenor ☐other \_\_\_\_\_ (initials), with respect to child(ren):  
  
Child(ren)'s Initials Date(s) of Birth  
\_\_\_\_\_  
\_\_\_\_\_
2. ☐ Parental rights were terminated by the trial court pursuant to § 19-3-604(1)(\_\_\_\_), C.R.S. or  
☐ The children were adjudicated dependent or neglected pursuant to §19-3-505, C.R.S., and a dispositional decree was entered pursuant to §§19-3-507 and 19-3-508, C.R.S.
3. Appellant's attorney, \_\_\_\_\_, ☐is ☐is not the attorney who represented appellant at trial.
4. Are there any other pending appeals involving the child (ren)? ☐Yes ☐No If Yes, list below:  
Case Name and Number: \_\_\_\_\_  
Type of Appeal: ☐adjudication ☐disposition ☐dissolution
5. Relevant dates regarding this appeal are the following:  
☐ D & N petition filed: \_\_\_\_\_ ☐ Termination hearing: \_\_\_\_\_  
☐ Adjudication order: \_\_\_\_\_ ☐ Termination order: \_\_\_\_\_  
☐ Disposition: \_\_\_\_\_ ☐ Notice of Appeal filed: \_\_\_\_\_  
☐ Permanency hearing: \_\_\_\_\_ ☐ Other material hearing: \_\_\_\_\_  
☐ Motion to terminate filed: \_\_\_\_\_

6. Nature of the case and relief sought: The appellant seeks reversal of the: ☐adjudicatory order.  
☐dispositional decree. ☐order: ☐granting ☐denying termination.

7. State the material facts as they relate to the issues presented on appeal:

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8. State the legal issues presented for appeal, including a statement of how the issues arose:

*The issues statement should be concise in nature and set forth the specific legal questions. General conclusions, such as "the trial court's ruling is not supported by the law or the facts," are not acceptable. Include supporting legal authority for each issue raised.*

Issue 1: 

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Supporting legal authority for Issue 1: 

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Issue 2: 

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Supporting legal authority for Issue 2: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Additional issues may be added.)

The undersigned requests that the Court of Appeals issue an opinion reversing the order of the trial court in this matter, or, in the alternative, enter an order setting this case for full briefing.

\_\_\_\_\_  
 Signature, attorney for appellant                      Date

**ATTACHMENTS:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**CERTIFICATE OF MAILING**

I certify that on \_\_\_\_\_(date) the original and five copies of this *PETITION ON APPEAL* were filed with the Court; and a true and accurate copy of this *PETITION ON APPEAL* was served on the other party(ies) by placing it in the United States mail, postage pre-paid and addressed to the following:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 Signature



Form 5.

<b>Court of Appeals, State of Colorado</b> <b>2 East 14<sup>th</sup> Ave., Denver, CO 80203</b> Name of Lower Court(s): <u>wewe</u> Trial Court Judges(s): <u>wew</u> Case Number(s): <u>wew</u>		<div>▲ COURT USE ONLY ▲</div>	
<b>THE PEOPLE OF THE STATE OF COLORADO</b> In the Interest of : _____ [initials pursuant to § 19-1-109(1)] Minor Child(ren), And Concerning: _____ [initials pursuant to § 19-1-109(1)] Appellant/Respondent: _____			
Attorney or Party Without Attorney (Name and Address): _____  Phone Number: _____ E-mail: _____ FAX Number: _____ Atty. Reg. #: _____			Case Number: _____  Division _____ Courtroom _____
<b>RESPONSE TO PETITION ON APPEAL (CROSS-APPEAL)</b>			

1. This Response to the Petition on Appeal is filed on behalf of \_\_\_\_\_ (initials), the ☐mother ☐father ☐child  
☐State ☐Intervenor ☐other \_\_\_\_\_ (initials).
2. Appellee's attorney, \_\_\_\_\_, ☐is ☐is not the attorney who represented appellee at trial.
3. The relevant date(s) regarding this appeal:  
☐ Are correctly stated in the Petition on Appeal.  
☐ Are corrected by appellee as follows: \_\_\_\_\_  
\_\_\_\_\_
4. The statement of material facts as they relate to the issues presented for appeal are:  
☐ Accurate as set forth by appellant and accepted by the undersigned appellee.  
☐ Require additions/corrections as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Appellee's response to the legal issues presented for appeal are as follows:  
☐Response to Issue 1: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Legal authority for Issue 1 supporting appellee's response: \_\_\_\_\_

☐ Response to Issue 2: \_\_\_\_\_

Legal authority for Issue 2 supporting appellee's response: \_\_\_\_\_

(Additional responses to issues may be added.)

6. Are there are any issues on cross-appeal ☐Yes ☐No If Yes, submit Petition on Appeal (Form 4 JDF 548).

The undersigned requests that the Court of Appeals affirm the order of the trial court in this matter.

Signature, attorney for appellee \_\_\_\_\_ Date \_\_\_\_\_

**CERTIFICATE OF MAILING**

I certify that on \_\_\_\_\_ (date) the original and five copies of this *RESPONSE TO PETITION ON APPEAL (CROSS-APPEAL)* was filed with the Court; and a true and accurate copy of this *RESPONSE TO PETITION ON APPEAL (CROSS-APPEAL)* was served on the other party(ies) by placing it in the United States mail, postage pre-paid and addressed to the following:

Signature \_\_\_\_\_

Form 6.

<b>Court of Appeals, State of Colorado</b> <b>2 East 14<sup>th</sup> Ave., Denver, CO 80203</b> Name of Lower Court(s): _____ Trial Court Judges(s): _____ Case Number(s): _____		
<b>Appellant(s):</b>  <b>v.</b> <b>Appellee(s):</b>		
Attorney or Party Without Attorney (Name and Address): adsda adsad Phone Number:                      E-mail: FAX Number:                         Atty. Reg. #:		<b>▲ COURT USE ONLY ▲</b> Case Number:  Division                      Courtroom
<b>CERTIFICATE OF COMPLIANCE</b>		

I hereby certify that this brief complies with all requirements of C.A.R. 28 and C.A.R. 32, including all formatting requirements set forth in these rules. Specifically, the undersigned certifies that:

The brief complies with C.A.R. 28(g).

Choose one:

- ☐ It contains \_\_\_\_\_ words.
- ☐ It does not exceed 30 pages.

The brief complies with C.A.R. 28(k).

☐ For the party raising the issue:  
It contains under a separate heading (1) a concise statement of the applicable standard of appellate review with citation to authority; and (2) a citation to the precise location in the record (R.\_\_\_\_, p.\_\_\_\_), not to an entire document, where the issue was raised and ruled on.

☐ For the party responding to the issue:  
It contains, under a separate heading, a statement of whether such party agrees with the opponent's statements concerning the standard of review and preservation for appeal, and if not, why not.

☐ I acknowledge that my brief may be stricken if it fails to comply with any of the requirements of C.A.R. 28 and C.A.R. 32.

\_\_\_\_\_  
Signature of attorney or party

JDF 640.

<input type="checkbox"/> Court of Appeals <input type="checkbox"/> Supreme Court Court Address: 2 East 14 <sup>th</sup> Ave Denver, Colorado 80203	
Appellant(s):  v. Appellee(s):  <b>▲ COURT USE ONLY ▲</b>	
Attorney (Name and Address):  Phone Number:                      E-mail: FAX Number:                      Atty. Reg. #:	Case Number:
<b>NOTICE OF LIMITED APPEARANCE BY ATTORNEY WITH CONSENT OF PRO SE PARTY UNDER C.A.R.5 IN AN APPELLATE MATTER</b>	

COMES NOW \_\_\_\_\_ (name of attorney), and enters a limited appearance as counsel for \_\_\_\_\_ (the pro se party in interest to this notice) and as grounds therefor, counsel states:

1. The pro se party in interest to this notice has requested and consented to this limited appearance for the following proceeding(s):

- ☐ Notice of Appeal and Designation of Record. I understand that if there are jurisdictional issues regarding the notice of appeal, my representation includes responding to jurisdictional issues raised by the Court.
- ☐ Petition for Writ of Certiorari, Reply Brief, and Response to any Cross-Petition for Writ of Certiorari
- ☐ Response to Petition for Writ of Certiorari
- ☐ Cross-Petition for Writ of Certiorari and Reply Brief
- ☐ Response to an Order to Show Cause issued by the Supreme Court or Court of Appeals
- ☐ Motion: \_\_\_\_\_

2. I have advised the pro se party in interest that the Court retains jurisdiction over the pro se party in interest to this case; that at the conclusion of this limited appearance he/she has the burden of keeping the Court and the other parties informed where later notices, pleadings, and other papers may be served; that he/she has the obligation to comply with all appellate rules and deadlines, including preparation of necessary briefs and other filings; and that failure or refusal to meet these burdens may subject him/her to a dismissal of the proceedings before the Colorado Court of Appeals or Colorado Supreme Court.

Service of process may be served upon the pro se party in interest to this case at the last known address which is: \_\_\_\_\_, Phone: \_\_\_\_\_

DATE: \_\_\_\_\_, 20\_\_    Attorney Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Registration No: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

<input type="checkbox"/> Court of Appeals <input type="checkbox"/> Supreme Court Court Address: 2 East 14 <sup>th</sup> Ave. Denver, Colorado 80203		
Appellant(s):  _____		
v. Appellee(s):  _____		
Attorney (Name and Address):   Phone Number:                      E-mail: FAX Number:                      Atty. Reg. #:		▲ COURT USE ONLY▲  Case Number:
<b>CERTIFICATE OF SERVICE OF NOTICE OF LIMITED APPEARANCE BY ATTORNEY WITH CONSENT OF PRO SE PARTY UNDER C.A.R.5 IN AN APPELLATE MATTER</b>		

I certify that on \_\_\_\_\_ (date) a true and accurate copy of the Notice of Limited Appearance by Attorney with Consent of Pro Se Party Under C.A.R. 5 was served on the client and all other counsel or parties of record by:

- ☐ Hand Delivery,
- ☐ E-filed,
- ☐ Faxed to this number \_\_\_\_\_, or
- ☐ Placing it in the United States mail, postage pre-paid, and addressed to the following:

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature



### JDF 641.

<input type="checkbox"/> Court of Appeals <input type="checkbox"/> Supreme Court Court Address: 2 East 14 <sup>th</sup> Ave. Denver, Colorado 80203	
Appellant(s): <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> v. Appellee(s): <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/>	<b>▲ COURT USE ONLY ▲</b>
Attorney (Name and Address):  <div style="display: flex; justify-content: space-between;"> <div>           Phone Number:            FAX Number:         </div> <div>           E-mail:            Atty. Reg. #:         </div> </div>	Case Number:
<b>CONSENT TO LIMIT APPEARANCE BY AN ATTORNEY UNDER C.A.R.5 IN AN APPELLATE MATTER</b>	

I, \_\_\_\_\_, (Pro se party name) do hereby consent to granting a limited entry of appearance to (name of counsel) \_\_\_\_\_ for permission to represent me for the following proceeding(s):

☐ Notice of Appeal and Designation of Record. I understand that if there are jurisdictional issues regarding the notice of appeal, my representation includes responding to jurisdictional issues raised by the Court.

☐ Petition for Writ of Certiorari, Reply Brief and Response to any Cross-Petition for Writ of Certiorari

☐ Response to Petition for Writ of Certiorari

☐ Cross-Petition for Writ of Certiorari and Reply Brief

☐ Response to an Order to Show Cause issued by the Supreme Court or Court of Appeals

☐ Motion: \_\_\_\_\_

I understand that the Court retains jurisdiction over me as the pro se party in interest to this case; that at the conclusion of this limited appearance I have the burden of keeping the Court and the other parties informed where later notices, pleadings, and other papers may be served; that I have the obligation to comply with all appellate rules and deadlines, including preparation of necessary briefs and other filings; and that failure or refusal to meet these obligations may subject me to a dismissal of the proceedings before the Colorado Court of Appeals or Colorado Supreme Court.

Service of process may be served upon me as the pro se party in interest to this case at my address which is: \_\_\_\_\_.

Date: \_\_\_\_\_

Signature

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

JDF 642.

<input type="checkbox"/> Court of Appeals <input type="checkbox"/> Supreme Court Court Address: 2 East 14 <sup>th</sup> Ave. Denver, Colorado 80203		
Appellant(s): _____		
V. Appellee(s): _____		
Attorney (Name and Address):  Phone Number:                      E-mail: FAX Number:                      Atty. Reg. #:		<b>▲ COURT USE ONLY ▲</b>  Case Number:
<b>NOTICE OF COMPLETION OF LIMITED APPEARANCE UNDER C.A.R.5 IN AN APPELLATE MATTER</b>		

COMES NOW \_\_\_\_\_ (name of attorney), and enters a notice of completion of limited appearance as counsel for \_\_\_\_\_ (the pro se party in interest to the Notice of Limited Appearance dated: \_\_\_\_\_). As grounds therefor, counsel states:

The proceedings for which I filed a Notice of Limited Appearance by Attorney with Consent of Pro Se Party under C.A.R. 5 In An Appellate Matter has concluded. My appearance has therefore terminated pursuant to C.A.R. 5(e) and (f).

I have advised the pro se party in interest that the Court retains jurisdiction over the pro se party in interest to this notice; that he/she has the burden of keeping the Court and the other parties informed where later notices, pleadings, and other papers may be served; that he/she has the obligation to comply with all appellate rules and deadlines, including preparation of necessary briefs and other filings; and that failure or refusal to meet these obligations may subject him/her to a dismissal of the proceedings before the Colorado Court of Appeals or Colorado Supreme Court.

Service of process may be served upon the pro se party in interest to this case at the last known address which is: \_\_\_\_\_, Phone: \_\_\_\_\_

The following hearings or other Court deadlines have been scheduled in this case:  
\_\_\_\_\_

DATE: \_\_\_\_\_, 20\_\_    Attorney Signature: \_\_\_\_\_  
  
Name: \_\_\_\_\_  
Registration No: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_



